



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 109<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 151

WASHINGTON, THURSDAY, OCTOBER 6, 2005

No. 129

## Senate

The Senate met at 9:30 a.m. and was called to order by the PRESIDENT pro tempore (Mr. STEVENS).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Spirit of life, breathe Your grace in us. During this period of Rosh Hashanah and Ramadan, remind us about the blessing of having people touch our lives. Thank You for the people who live exemplary lives and show us what productive living should be. Thank You for the people who inspire us, who motivate us to strive for noble things. Thank You for the people who comfort us, who help ease life's hurts. Thank You for the people who strengthen us, who give us courage to tackle the difficult. Thank You for the people who enlighten us through the written word.

Thank You for our Senators, who work to keep us free. Give them the wisdom to keep their hearts pure, their minds clean, their words true, and their deeds kind.

We pray in Your Holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. FRIST. Mr. President, in just a few moments, we will resume negotiations on the Defense appropriations bill. Last night, we worked well into the evening and were able to make relative progress on the bill. The Senate voted overwhelmingly last night to invoke cloture. Therefore, today we will be proceeding with amendments that qualify under rule XXII.

I thank Members for their patience last night during our series of stacked votes. I particularly thank those Members—especially Senators STEVENS and INOUE—who have worked so aggressively on the bill and who over the course of the day will continue to try to clear amendments on both sides of the aisle. We will have votes over the course of the day on those amendments.

We can and should push forward on this bill today and tonight and try to finish the bill. If necessary, we will be here tomorrow to complete our work for the week. There are a number of other issues that are currently being discussed, debated, and talked about, including the homeland security conference report as well as pensions legislation, which I have mentioned regularly.

I hope we will be able to proceed with the cooperation of all Senators over the course of the day as we seek final passage of the Defense appropriations bill. The time does expire early in the morning tomorrow. Thus, we should work toward completing that bill this afternoon and this evening.

### HUNGARIAN PRIME MINISTER

Mr. FRIST. Mr. President, later this afternoon, several of my colleagues and I have the honor of hosting Hungarian Prime Minister Ferenc Gyurcsany in the U.S. Capitol.

The Prime Minister has served for just a little bit over 1 year. His country, as we all know, is a valued friend

and ally of the United States. Hungary's transition to a Western-style parliamentary democracy was the first and smoothest of the countries formally under the dominion of the Soviet bloc.

In May of 1990, Hungary held its first free parliamentary election. In the intervening years, Hungary has made tremendous strides in strengthening its democratic foundation and becoming more integrated in the Euro-Atlantic institutions. It became a full NATO ally in March of 1999. Last spring, it earned full membership to the European Union, the EU.

Today, the United States and Hungary maintain a positive and a productive bilateral relationship. Our two countries work closely together and through international organizations such as the EU and NATO. In particular, Hungary has been a steadfast ally for the United States and NATO missions in Iraq, Afghanistan, and in the Balkans. It is a member of the coalition that liberated Iraq. It also contributed troops to Operation Enduring Freedom in Afghanistan and has played an important role in the training and equipping of the Afghan National Army. Recently, Hungary offered to lead one of the provincial reconstruction teams to help stabilize Afghanistan.

Hungary is a brave nation. Hungary is a proud nation. On behalf of the American people, I express my most sincere gratitude and respect for the invaluable contributions it has made to the war effort.

Hungary is also playing another invaluable role in the spread of democracy. As a nation only recently emerged from decades of tyranny, Hungary is sharing its unique lessons with today's emerging democracies. It has established an International Center for Democratic Transition to reach out and nurture the world's newest democracies. The center will act as a resource for countries in transition.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S11173

There, they can gain insights into the obstacles and opportunities before them. I have no doubt that this new center will help democracy take root, to grow, and to flourish, and will help the world's newly emerging democracies succeed.

During our talks this afternoon, I look forward to discussing these and many other issues of mutual interest with the Prime Minister. The United States and Hungary have worked hard to build a close, cooperative relationship. I am confident that through continued exchanges and dialog, we can deepen and solidify our bond as champions and defenders of freedom.

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2005

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2863.

The legislative clerk read as follows:

A bill (H.R. 2863) making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes.

Pending:

Reed/Hagel amendment No. 1943, to transfer certain amounts from the supplemental authorizations of appropriations for Iraq, Afghanistan, and the Global War on Terrorism to amounts for Operation and Maintenance, Army, Operation and Maintenance, Marine Corps, Operation and Maintenance, Defense-wide activities, and Military Personnel in order to provide for increased personnel strengths for the Army and the Marine Corps for fiscal year 2006.

Coburn amendment No. 2005, to curtail waste under the Department of Defense web-based travel system.

Mr. FRIST. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, I would like to speak as in morning business. If any other Senator comes and wants to speak about an amendment on the underlying bill, I would be pleased to wrap up my remarks.

The PRESIDENT pro tempore. Speaking in my capacity as a Senator from Alaska and manager of the bill, I would agree to the unanimous consent that the Senator may speak but would yield the floor in the event someone wishes to call up an amendment or speak on the bill. Is that agreed?

Ms. LANDRIEU. Yes, I would.

The PRESIDENT pro tempore. Without objection, it is so ordered. The Senator is recognized as in morning business.

Ms. LANDRIEU. Thank you, Mr. President.

Mr. President, I begin by thanking the Senator in the chair for his leadership in trying to help us move this De-

fense appropriations bill through the Congress. It is, of course, an extremely important bill, and it is a very difficult bill to manage because it is large and complicated and multidimensional and a great need. I thank the Senator from Alaska and the Senator from Hawaii for helping us to manage through this as we try to wrap up this week.

(Ms. MURKOWSKI assumed the Chair.)

#### HURRICANE KATRINA

Ms. LANDRIEU. Madam President, one of the reasons I come to the floor this morning is to speak about an issue that I brought up on the floor, now many times, and so has the other Senator from Louisiana and Members of our delegation, as well as Members from the Gulf Coast States that have been affected by Katrina, to try to see what we can do to get some aid to our States, directly into the hands of people who can actually put that money to good use, so we do not leave here this weekend without having done something very clearly and very specifically.

Now, this Congress has acted with dispatch over the last 4 weeks to allocate and appropriate money to FEMA, the Federal Emergency Management Agency, that is tasked with the responsibility of managing disasters such as this when they are of such a magnitude it is really impossible for individual cities or individual counties or individual parishes or even regions to handle them.

This storm was just that. It was a category 5 storm, with a surge of tide that had the highest recorded level at 29 feet of water—a tsunami basically of 30 feet, approximately—that slammed into the gulf coast about 32 days ago and devastated the energy coast of this Nation—or a large part of the energy coast.

Assessments are being done by insurance companies, corporations, multinational companies, small companies, law enforcement, cities, parishes, and counties to try to get a handle on the damage, but it is staggering.

This special edition, which I have been reviewing since I picked it up yesterday, is done by National Geographic. It is a special edition on Katrina and Rita. It was contributed to by the Times-Picayune, the Dallas Morning News, the New York Times, and it truly is remarkable work: “Katrina, Why It Became a Man-Made Disaster” and “Where It Could Happen Next.” It takes us through a series of not just the way the hurricane formed and how powerful and devastating it was, but how the levees could have been breached or how the levees might have collapsed, because that assessment is still being made about how many houses have been lost, about how many thousands of square miles were flooded in New Orleans, in Saint Bernard, in Saint Tammany Parish, in Plaquemines Parish, how the entire parish of Cameron, that had 10,000 structures 8 days ago, now has one structure standing; a courthouse that

was built by the New Deal, the only structure standing in Cameron Parish.

It talks about how the combination of these two killer storms, and the neglect on the part of many—cost cutting that obviously did not pay off—how it has now wrecked this economic powerhouse. It says, actually, the economic power has been brought to its knees. The center of that powerhouse would be the State I represent in the Senate, the State of Louisiana, that is home to the Mississippi River, the greatest delta on the continent, the greatest river on the continent.

On that river are the largest ports in America. The eye of the first storm, Katrina, went right over the Port of New Orleans, the South Louisiana Port, and barely missed the other large port, which is the Port of Baton Rouge, which hosts the energy industry, the petrochemical industry, the refining industry, the agriculture industry, the commercial industry, the maritime industry—the bulk of it in the Nation. It was a direct hit to the heart of the energy coast.

Not only is Louisiana feeling this, with 2 million people along the gulf coast displaced—hundreds of thousands of people have lost their entire home, their entire business; the people of New Orleans, in large measure, and Saint Bernard and Plaquemines have lost their entire parish—but everyone in America is feeling this because of the higher price of goods, the higher price of gasoline, and the higher price of natural gas.

There are 9,000 miles of pipeline connecting oil and gas exploration in the Gulf of Mexico. We have been struggling to get those pipelines back up and running. The trade and commerce of the Port of South Louisiana, combined with the Port of New Orleans, dwarfs the Port of Houston, the Ports of New York and New Jersey, and the Port of Beaumont, TX, which was also hit and has some destruction from Rita—thank goodness, not the same level of destruction, thank goodness that we didn't lose the Port of Beaumont or the Port of Houston.

Our ports, from the Port of Lake Charles, from the western side, to the Port of Iberia, to the Port of Morgan City, to the ports along the Mississippi River, to the Port of Fourchon, which is the only deepwater energy port in the Nation right on the gulf, the damage has been extensive and tremendous. To this day, 30 days after—and we will be for months and perhaps even years—we are struggling to stand up that infrastructure.

The long-term building effort is going to be difficult and complicated. I am sorry to say this because we have been criticized for saying it, but it is going to be expensive. There is no cheap or easy way out of it. How we pay for it, what revenues we assign, whether we raise revenues to do it, use revenues we have, assess new approaches, borrow the money, in some

way the Federal Government and State governments and industry have to come up with the billions of dollars it is going to cost to restore the infrastructure and the marshland that protects this infrastructure, that services the economy of the Nation and the world.

Let me try to be as clear as I can on some of these points. There are only a few ways to get grain out of Kansas and the Midwest. You can put it on railroads, put it on trucks, or you can put it on big barges. It is a little slower on the barges, but it is a lot less expensive. You can move the grain that we supply and literally feed ourselves and the world with it, but it has to go through on barges, down some rivers, and the Mississippi River is the River that we primarily use, that the Missouri and the Ohio run into down the Mississippi for trade around the world. If this infrastructure is left vulnerable, as it has been by exposure to the hurricane, if we don't figure out a way to invest better and more wisely, the commerce of this whole Nation will be undermined, unless you want to put all the grain that comes from the Midwest and all the wheat and the corn on trucks and put thousands of more trucks on a highway system that is already overcrowded, where people are already wondering how are we going to survive the next few years on a highway system like this, with trucks stacked up one after another.

We better keep our river channels open. We better invest in our inner waterways. We better start investing in more sophisticated lock and dam systems along the Gulf of Mexico. If we are not going to, then the other alternative is to abandon the coast and move somewhere else. Maybe we should consider that. I think it is a foolish idea because you couldn't accomplish it anyway. I don't know where we would move all the refineries. We can't even get another State anywhere in the country, except maybe Arizona, to build a refinery. Nobody wants to build refineries. Everybody wants to put gas in their car and turn the electricity on, but we can't get anybody to lay a pipeline, build a refinery, put up a petrochemical plant. I don't know how Texas and Louisiana and Mississippi would lift 40 percent of the industry and relocate it somewhere in the United States, but if some people think that is a cost-effective way, maybe we should do that.

Having studied this issue for a pretty long time and represented this State for over 25 years, it is a foolish and foolhardy suggestion. I have a better one. The better one is a little bit of money every year, smartly invested, to protect this infrastructure, to restore our wetlands, to protect one of the greatest cities in the world and the region that surrounds it and the infrastructure that supports the commerce and trade for the entire Nation—if we just do a little bit well every year. Instead, we chose to do other things with our money.

This is a picture of the gulf. This is Mississippi. The title surge hit the gulf coast of Mississippi 30 feet high, cleared everything in its path for a half a mile back. We saw this kind of destruction with Camille. We hoped we would never see it again. But there are vulnerabilities living on the coast. When a hurricane hits you directly, this is what it looks like. Right here we had houses and casinos. We also had a major shipyard that was damaged pretty badly. You can't do a lot of shipbuilding inland. You have to have some waterways and build your ships in a place where they have access to water. Thank goodness we didn't have just one shipyard on the gulf coast. Thank goodness we had two because the hurricane hit one and not the other. Avondale is today up and running and building ships for our military and the private sector.

I don't know if you can see this, but the Presiding Officer knows because she is from Alaska and they do some oil and gas drilling for the Nation, we do most of it along the gulf coast. These are the pipelines that support that industry, as we send fuel and gas and electricity to Chicago, New York, California, the Midwest, and supply the energy necessary to keep this economy functioning. We have laid these pipelines for over 100 years. Maybe we could pick them all up and move them somewhere else, but I don't think that is going to happen. We can't even find the money to get a pipeline from Alaska—or figure out how to get a pipeline from Alaska. How are we going to take up all these pipelines and move them somewhere else? We don't have a choice.

We have to take some of our general fund dollars, more than we have. We need to, as I have said for over 10 years, redirect a portion of the offshore oil and gas revenues that Texas, Louisiana, Mississippi, and Alabama contribute to the tune of \$5 billion, actually \$6 billion a year last year, \$155 billion since the 1950s, redirect some of that money into restoring our coast that protects this infrastructure and, working in partnership with industries, large and small, have more security around the energy infrastructure, whether it is pipelines, petrochemical plants, or refineries, not just for the protection of the industry but for the safety of the people who live and work in this region.

There is a beautiful series produced by Louisiana Public Television that I will submit for the RECORD. It is not in written form but in video form. I am hoping there is some way that I can submit that officially for the record. When Bienville and Niverville came and settled Louisiana and claimed it as a colony, they didn't come to sunbathe on the Mississippi River. They didn't come to put up condos. They came to secure the delta, the mouth of the greatest river in the country, for the strategic expansion and economic future of a nation. They asked people to

come to Louisiana in hot, mosquito-ridden territory, not to sunbathe or to vacation. Who would vacation in a swamp with mosquitos? We leave the low-lying areas and leave the mosquitos when we want to vacation and go to the mountains. If you are lucky to be able to afford a tank of gas in your car, you don't stay in Louisiana to vacation. You go to Louisiana to work, even though a lot of people do come to New Orleans to enjoy themselves because it is a wonderful city. But down in the bayou, people fish, they trap, they hunt, they skin alligators, they drill for oil and gas, and they lay pipelines. They build ships, they fabricate so that we can produce jobs for people in America as well as ourselves.

For 300 years, we have been growing crops, growing sugarcane, growing cotton, growing soybeans, shipping goods around the world, drilling for oil and gas, building ships and pipelines, and asking for a little bit of money, just a little bit, to help us invest in an infrastructure that doesn't just save us from death and destruction but supports a nation's future. I have been on this floor so many times giving this speech that I am positive that every Senator could give this speech better than I because they have heard it a thousand times. And they have not just heard it from me. They heard it from Senator Breaux when he was here. They heard it from Russell Long when he was here. They have heard it from DAVID VITTER since he has been here. How much more clear can we be? They heard it from Billy Tauzin when he was chairman of the Energy Committee in the House. They heard it from CHARLIE MELANCON who represents this district now. They have heard it from GENE TAYLOR who has represented the gulf coast of Mississippi since he was a kid.

These are the kinds of people who live along the coast. They don't have a lot. But they do have their pride and their dignity. They have waited for 31 days now, but they have waited for decades actually for the Federal Government to recognize they are not in condos, having lunch at a club, sipping tea on a balcony, watching the waves. These people don't belong to a country club. They couldn't afford the monthly dues. They could barely afford gas in their automobile to get out when storms hit. Why do they live there? No. 1, because they love it; 2, because they work; 3, because the jobs are there; and 4, you can't move the jobs. Where would you put them?

Let me show you another picture of people. This is Charlene Veillon and her son Thearon. This is a sad picture to look at. This is a picture of them after being told that Charlene's daughter—I am assuming his sister—who had been driving from Tennessee to the gulf coast to try to help her family, when no one else would come to help them, this is when they learned that she died.

For a month and a half the people of the gulf coast have been crying for

help, asking for help. I know that we didn't do everything right every minute of every day. But I can tell you one thing our delegation has done: It has come down here year after year and laid the case. We are happy to host the oil and gas industry, we are happy to build refineries, we are happy to organize our ports to transport goods all over the world so everybody can benefit. We are even glad we don't have to take a lot of vacations—some of us couldn't afford to go—to those highrises in Florida, anyway. But all we want is a little bit of support of money that we generate to protect us and to protect the Nation from something such as this disaster.

I have to read news articles from some of the supposedly smartest magazines in the world telling me the reason this happened is because the levee board in New Orleans—I am not going to support everything the levee board did, but I have to read in some supposedly elite magazines the reason this happened is because the levee board took a few hundred thousand dollars and built a fountain when they should not have built a fountain, they should have been building a levee.

I don't know about the fountain, but I can promise you this: \$100,000 or \$200,000, or \$300,000 for building a fountain when they should have put a few more sandbags on top of the levee would not have prevented this disaster. What would have prevented this disaster is better priorities in spending, smarter investments, and a better partnership between a Federal Government that has decided it has other things to do, such as building levees in Iraq, building schools in Iraq, and I cannot get 5 cents to build a school along the gulf coast.

Then I have to have magazines tell me the people in the South are not self-reliant; we don't know how to walk on our own two legs. I am going to show a picture of self-reliance. See this family. They may or may not be related. They are of different colors of skin. Some people are related who have different skin color, but I don't know. This is how people all over the gulf coast are living—helping each other out, sharing the two bedrooms they have, sharing the food they have, not complaining. But it is my job to complain. I represent them.

Before I keep talking about Louisiana, because people say the Senator only cares about her State, let me tell you what the last page of this magazine says, the National Geographic. It is the last page. Pick it up and read it.

The next Katrina? New Orleans was a hurricane tragedy waiting to happen.

It describes why this was inevitable. We knew it during Betsy. We knew it again at 9/11. We have known it for a long time. We didn't do what we needed to do. But according to NOAA—which is a very excellent organization, I must say, out of the Commerce Department for which I have a lot of respect—according to meteorologist Joe Golden,

“the five places in the U.S. at greatest risk for calamitous hurricanes are: Tampa Bay, Florida; Mobile, Alabama; Houston, Texas; New York City and Long Island, New York; and Miami, Florida.”

Wake up, delegations from these States. Many of these Senators have been helping. Many of these Senators understand the danger.

Why do we have to go through this again? Why do we have to go through it this time? You can't stop hurricanes, but you can protect yourself. You can set up a communications system so families who are trying to help each other will have their cell phones work. You can help your police officers by giving them radios that function. You can figure out how to have more redundancy so if your electricity goes down, somebody can get a message through.

The head of our National Guard from Alabama, during a CNN interview with me on this subject, said the Senator is right; we are sending runners in Alabama, as we did in the War of 1812, and it is 2005 and we do not have a communications system that protects Americans.

I know times are tough in Baghdad. Times are tough on the gulf coast.

This is a picture of a man named Pete. He is holding a 1950s picture of his grandparents' home in Empire, LA. I think Senator COCHRAN from Mississippi has fished off Empire. He knows it well. He fishes a great deal and respects the environment.

When Pete's grandparents moved here in the 1950s, this camp—which was in a vulnerable place even before the marsh eroded. It was vulnerable. I don't know if this was his grandparents' home where they lived or if they were shrimpers, trappers, or campers, or if this is a camp, as we call them, where you go on the weekend to try to relax and get out of the city. Anyway, what you can see beyond this camp is a lot of marsh. They didn't go out in the middle of the water and build this camp and come miles by boat to camp, although some do that, but very few. Most of these camps were attached to land, or they were in the 1950s. But 50 years later, there is no land around them because the salt-water has intruded because we channeled the Mississippi River, and the delta cannot replenish itself.

We laid 9,000 miles of pipeline, took all the oil and gas out of the ground, and did not give anything back to keep the land stable so that Pete could maybe have a place to take his grandchildren. Of course, the place is gone.

On page 57 of the National Geographic, there is a great article that begins “How the Defenses Break Down.” It talks about barrier islands. We have barrier islands all around the coast. We are losing them rapidly off the coast of South Carolina, North Carolina, Florida, Georgia, Alabama, and Dolphin Island because we don't take care of our barrier islands, we don't protect our barrier islands, we

don't invest in coastal erosion projects. We let them wash away into the ocean. Then we wonder why, when hurricanes come, they destroy a whole region. Every time a storm comes, we throw a little sandbag on the islands and say we did something. We are not doing anything.

We used to have hundreds of miles of marshland between New Orleans and the ocean. Please don't insult the ancestors of my city to think that they would put a major metropolitan area right on the coast. If anybody would get the map of the Mississippi River, they had to go up over 100 miles from the mouth of the river, and they found the highest ground they could find, and they put the city of New Orleans there.

Amazingly, even in Katrina, Jackson Square did not flood. The cathedral is still there, and the statue of Jesus is still standing in front.

They did not put the city on low ground. Three hundred years ago, they went inland away from the coast to build a city to secure the westward expansion of the Nation. Thomas Jefferson had the sense to borrow money from the Treasury, not to spend it on tax cuts, but to invest it in the Louisiana Purchase at 3 cents an acre. Then Andrew Jackson went there in 1803 and fought the British again. Not once; we fought them twice because they knew when we beat them in 1776, they could come back and take New Orleans and take the country away, and we fought them again.

But we have a Federal Government for the last couple of years—I have made some mistakes since I have been here, so I am not the only one; I am not saying I have not made mistakes. But we have a Federal Government whose only answer to any problem we have had, whether it is a recession, depression, or irrational exuberance, a high stock market, a low stock market, a war or no war, is to give tax cuts.

Let me ask something: Could anybody describe to me how this woman could take advantage of any tax cut? What would she do? Do you think she has any money in her IRA she could borrow to help her rebuild her house? Do you think maybe she could call her accountant and see if he could figure out a strategy for her to save a few dollars on the next income tax check she pays? I don't think so.

This woman—I don't know her name, but she looks a lot like my grandmother before she died. There are grandmothers and grandfathers all over the gulf coast sitting in chairs just like one looking at total destruction, and they have to hear from this Congress that we are about ready to pass yet another tranche of tax cuts, but we cannot send somebody to help her pick up the debris.

And please don't tell me you are sending faith-based organizations. And I say that with the greatest respect. You know why? Because the church that used to be here does not exist any longer. I am certain some church could

come from New Jersey or come from New York or come from California, but this woman's church does not stand any longer.

In my State—this may be Mississippi, I don't know—but in the State of Louisiana, the Catholic Church, which is the largest church in New Orleans, is basically telling me and our delegation and any leaders who will listen that they may have to lay off thousands of workers at the archdiocese because their churches are destroyed and their schools are destroyed. But yet we have a Government that wants to say: Let the faith-based organizations do it. They are faith-based organizations. They are the Catholic Church. They need help.

We have a bill we have been asking for—and the President has asked for it as well—and we cannot get this Congress to move to give some help to some of the children who were in Catholic schools so they can get through this school year—70,000 of them. We cannot move that bill.

That is why I am on the floor today to talk about a lot of issues. As Senators come, they may want to talk about the Defense bill, but our war is right here at home. Our war is right here in the gulf coast. This debate is about the protection we seek, our security, our way of life. Millions of people from the gulf coast have given their lives for this country in war after war, in crisis after crisis, and now we ask for help and we get \$63 billion to FEMA, which cannot seem to function well enough to get anybody help. So I have come to the floor to say: OK, let's catch a breath. FEMA is not working that well. Let's not worry about why now, let's try to fix the problem and take \$10 billion of the \$43 billion FEMA has that is sitting there, not getting to any of the people I showed, take it, and give it through whatever accountability mechanisms we can come up with, to give people health care they desperately need, to give relief to our schools that are about to stagger and collapse—elementary, secondary, and our universities that are also our major employers, that also have the brain power that is going to help us rebuild this region; they are about ready to close their doors—to give direct aid to our sheriffs, our police, and our firefighters who are desperately trying to keep the doors open on the cities and counties and communities, large and small, throughout the gulf coast. Give us a few of those billion dollars we have given to FEMA, which cannot function, and let us use that money. And if FEMA needs more money down the line, we can always give them some more.

But we cannot do that. All we can do is pass a Defense bill, argue about Defense authorization, take care of the war in Iraq, rebuild Iraq, but we cannot even focus on rebuilding the gulf coast where Americans have paid taxes their whole life and cannot get the Federal Government to act effectively.

I compliment the Senator from Alaska for moving our Defense appropriations bill. It is an extremely important bill for our Nation, and he has been very gracious to allow me this time. I am looking to see if another Senator shows up. I will be happy to end my remarks and take some time later today. We are on the Defense bill, and we have to move this bill and, of course, under the rules we only have 30 more hours of debate and we have to vote on that bill.

The bottom line, I guess, is this: We have been in negotiations with the White House and with the Republican leadership to pass something before we leave, something that is substantive but also in some ways symbolic, that somebody in Washington is hearing what people from the gulf coast are saying, which is, We know FEMA was funded, but we need help now.

FEMA is not well led, even though we have a new leader and he is doing a better job than the former one. It is not well resourced. It is not well organized, and it is not being that well coordinated at home. We can fix that, I am confident, over time. I am certain we have learned some of the mistakes that we have made with FEMA, and we can fix it; FEMA can be fixed, and we will have some time to do that. But right now, we need to get help to the people of Louisiana and the gulf coast.

We have asked for \$1.5 billion for our State and local governments so that they can keep their doors open, not lay off their core workforce, either their police, their fire, their permitting offices, the support that a city or county needs to function, so that over the next few months and few years, we can actually rebuild our towns.

Last night, from what I understand, the White House offered \$300 million, but \$300 million is not enough to help the towns that are about to have to close their doors, including the city of New Orleans, which is struggling to stay open and to track people back to the third or fourth of the city that can function that is out of water.

The mayor announced yesterday that he has to lay off 3,000 people. We do not need to be laying off people. We need to be hiring people. There is enough work to be done. Just imagine 90,000 square miles of destruction. Does anybody doubt that there is not a lot of work that could be done? We do not need to be laying off public employees and laying off people in the private sector. We need to be stabilizing those who are working now and then be smart, strategic, wise, careful, and accountable as we hire help to stand up a region that is not just for the people who live there but for the whole Nation. Does anyone doubt that there is enough work to be done?

Let me show a picture of New Orleans. This is what parts of it looked like only a few weeks ago. It goes on for miles and miles, water standing 6 feet, 8 feet, 10 feet, interstates underwater. Does anybody doubt that there is a lot of work to be done? Why are we laying

off people anywhere? I will say why—because sales taxes cannot be collected from empty buildings. Sales taxes cannot be collected from people who no longer live in their house and there is not a WalMart or a mom-and-pop store to shop within miles. How does a city with a \$40 million monthly payroll exist for more than a month or two?

If somebody says, Well, they can borrow the money, let me talk about that for a minute because I was a State treasurer. I know a little bit about this issue. The constitution of the State of Louisiana smartly does not allow the State to borrow for operating expenses. Isn't that unique. We can only borrow money to build highways and invest in capital infrastructure. It is a very smart and wise restriction because if there are not restrictions like that, we end up being like the U.S. Government, which borrows to give tax cuts to people who did not even ask for them.

I am sorry we cannot organize a constitutional referendum in the next 30 days. Even if we could organize a constitutional referendum in the next 30 days, there are no polling places for people to vote, and if we tried to find our voters, we could not find them. So I am a little confused about how we would do that.

The State of Mississippi does not have that same restriction. I understand they have borrowed \$500 million. So this woman right here, who I am pretty sure is from Mississippi—and I am not criticizing Mississippi. They have their own plans, and maybe they are great. But this woman will have to pay that \$500 million back. I do not believe that is a great idea. I do not think she has enough money to put food on her table the next couple of months. If that is what they want to do, I do not know how they are going to pay this \$500 million back, but I promise they are either going to cut programs this woman benefits from or she is going to get charged directly for it. That might be a good plan. I would not support something like that.

My State cannot borrow the money, and even if we could, we have a billion-dollar shortfall at the Federal level because the income is not coming in. The oil wells are not producing, so we do not get our severance taxes. The ports are crippled, so we are not getting that revenue. The sales taxes are way down, and the expenses are way up.

I have listened to the Washington Post, the New York Times, and the Wall Street Journal tell me the people of Louisiana are not self-reliant. Why can't we just fix our own problem? First, it is not our problem, it is the Nation's problem. The last time I looked, we were the United States of America. I am not sure we are anymore, but that is what we were the last time I said the Pledge of Allegiance.

Either people want me to keep talking or they do not have anything to say because nobody else is on the floor, so I will talk for a few more minutes and then I am going to sit down and just

hold my time. I will talk more about the general subject, but I wish to be clear about why I am standing here and what we have asked for. We have asked for some help, just anything that we can take home before we leave so that people will have some hope that somebody up here is listening to them.

I have asked to pull up the Grassley-Baucus bill, which has been unanimously approved by Republicans and Democrats in the Senate, not a Democratic bill—thank God led by a great Senator, a Republican from Iowa who is the chairman of the Finance Committee. He understands, even though he is not from Louisiana, how much people are suffering, and he wants to help. So he and Senator BAUCUS, leaders that they are, 3 weeks ago, with the help of Senator LINCOLN from Arkansas, put a good bill together. It cost about \$13 billion. If there were some things eliminated, we could scale it back to about \$6 billion or \$7 billion. When I say eliminated, there is some help for all the States. Maybe we just eliminate helping everyone else and help ourselves. We are trying to be generous. If other Senators want to try to help their States, who am I to say they cannot help their States. But if the Senate agrees to just help Louisiana, Mississippi, Alabama, and Texas, fine with me. They put a bill together, we passed it unanimously, and we cannot get any action on that bill. So we have asked for that.

We have asked for some education money to keep our schools open. We are trying not to ask too much because every time we ask for something, we are told we are greedy, we are looters, we are not self-reliant, how dare we ask on behalf of the people who have nothing for a little money out of the treasury, from their own money that they put in the treasury, how dare we ask for it. I am not going to stop asking, and I do not care how many editorials are written about me and my State at this point. Just go ahead and keep writing them.

Mr. DURBIN. Will the Senator from Louisiana yield for a question?

Ms. LANDRIEU. I would be happy to.

Mr. DURBIN. At the outset, I would like to say that I left the floor last night, about 12 hours ago, around 11. Senator LANDRIEU of Louisiana was on the floor last night. As I left, I said that she has shown such a passion and commitment to the poor people of her State of Louisiana who have been through this hurricane. I know she has tried to work within the system, she has tried to work within the Senate, and she has tried to move things along in a peaceful, bipartisan way. I sensed in her appearance last night and her appearance on the floor now that she is reaching a level of frustration and concern that this Senate is going to go home tonight or tomorrow and be gone for 10 days having done nothing to address the important issues she is raising.

What the Senator has brought to our attention is the fact that we have a bi-

partisan proposal. Senator GRASSLEY, a Republican of Iowa, and Senator BAUCUS, a Democrat of Montana, on the Finance Committee, have come up with a proposal to provide basic health care for the evacuees and survivors of Hurricane Katrina and Hurricane Rita, basic health care. The Senator has come to the Chamber repeatedly—I have seen it—trying to at least bring this to a vote. That is all she is asking for, bring it to a vote.

It is my understanding that at this moment in time, she has no commitment from the Republican leadership in the Senate to even bring this matter for a vote before we go home for 10 days on a break. I ask the Senator from Louisiana if she could in the most general terms tell us what kind of health care she is trying to provide to these people. Some have characterized it as luxurious, over-the-top health care for people who do not really need it. In fact, I heard on the floor last night one of the Senators say: Well, they do not really need this.

Could the Senator from Louisiana spell out for us what she is looking to achieve, what this bipartisan proposal would mean to the poor people who have lost their homes, lost their worldly possessions, seen their families torn apart, and are living in shelters somewhere around that part of our country?

Ms. LANDRIEU. I would be happy to, and I thank the Senator for his leadership because the Grassley-Baucus bill does a couple of important things that are essential for the rebuilding and emergency needs of a population—not just the poor but the middle income and those who had private insurance the day before Katrina hit. The Baucus-Grassley bill allows the States to know that they are going to be reimbursed for the care they are providing to people who have virtually no insurance. For a State such as Louisiana, whose legislature may be meeting in the next few weeks, with a billion-dollar shortfall looming, I say to Senator DURBIN, it is critical that the States of Louisiana and Mississippi and Alabama and Texas have some idea now about what the Federal Government is going to do regarding their insurance. We share it 70/30. The State cannot put up a 30-percent match. This bill waives that match so that our States can start making good budget decisions at a very difficult time, in addition to providing health care for those who are 200 percent or below of poverty—which in our State is only \$18,000 or \$20,000—to make sure that people have health insurance.

But for middle-income families, working families, and even wealthy families that had health insurance, this bill allows them—even if their employers have gone under or taken bankruptcy or closed their doors and laid them off—to keep their health insurance for a few months, for 6 months or 12 months, depending on their category.

A Senator said on the floor, Senator DURBIN, that people can get health in-

surance, they can get health care. Yes, in some way; they can go to an emergency room and wait for 3 days. But if they want to go to their doctor's office to whom they have been going for their whole life, and take their child to their pediatrician and they now don't have health insurance, unless we pass this bill, they can't go knock on the door of their pediatrician, for example, unless they give them a credit card or cash because there is no health insurance without the Baucus-Grassley bill. People who don't have a home, don't have a church or don't have a school now do not even have health care because we have to go home on a 10-day break and leave them wondering where they are going to get their medicine. That is what the bill does, I say to Senator DURBIN.

Mr. DURBIN. I would like to ask the Senator from Louisiana, through the Chair, we have been through disasters before in America. We faced 9/11, that terrible day in our history when 3,000 Americans lost their lives. I would like to ask the Senator from Louisiana, if I am not mistaken, didn't we say we were going to come in and help those families who may have been in the same circumstance, where their place of employment just exploded and disappeared? Also, I would ask the Senator from Louisiana, when we had an earthquake in California, in Northridge, didn't we step in and say we are going to provide housing vouchers to people displaced because of earthquakes?

I ask this of the Senator because I don't quite understand this double standard. Why, if the worst natural disaster in modern memory occurred a few weeks ago, are we in the midst of debating the most basic things people need in crisis: health care, housing, cash so they can buy the basic necessities of life? Why are we facing this double standard, when America's heart was broken by the scenes we saw day after day and night after night on the television screen, coming from your hometown, your neighbors and their suffering?

Ms. LANDRIEU. I do not know, I say to Senator DURBIN. That is a puzzlement for us. I do not have a good answer for that. All I can say is there are 2 million people displaced, many towns are destroyed, many communities, both urban and suburban, rural as well as highly dense. Neighborhoods of black and white, Hispanic and Asian, poor and middle-income are wondering the same thing.

Why does Congress keep giving money to FEMA? FEMA is not functioning very well. So when our Governors and our mayors and our sheriffs ask for a little bit of help with health insurance and education and the basics to turn running water on—we have had enough bottled water. Please don't send us any more bottled water. We have plenty.

We need to turn the faucets on so water will come out so a small business



that wants to operate can actually function with some water. You cannot have a business operating without water. That is what we need.

We have asked for these emergency things, to be told we do not have the money. I am going to sit down. In this amendment, we are asking for four or five things, for education, for health care, for immediate needs, for help for some hospitals that stayed up. Three hospitals stayed up the whole time in the region. If we do not help them, these hospitals will close, employees will be laid off, and whatever modest health care system we have for the region will basically be dysfunctional.

But what we really want—we want those things, but what we want is some action taken before we leave. We can vote on these individually. We did get a commitment from the administration that they will do more than \$300 million. Because if we do not get more than \$300 million before we leave here, the city of New Orleans, the Archdiocese—the Catholic Diocese—or St. Tammany Parish, or some parts of it, or Plaquemines or St. Bernard or any number of other places, I say to Senator DURBIN, will have to lay off workers who then will lose their health insurance, lose whatever means they have of keeping themselves and their families intact, and the situation will be spiraling downward, not spiraling upward.

The Senator has been very gracious. I am going to reserve the remainder of whatever time I have, but that is what we are asking for, and I hope we can get something done before we leave for this week-and-a-half break.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Madam President, we now have the preliminary scanning of the amendments that have been passed by the Parliamentarian. We would be pleased to share that information with any Senator who has an amendment. The Senator from Louisiana does have the floor until someone is ready to offer an amendment or speak on the bill. We urge Members to come and start the process. We are prepared to handle amendments. On some amendments we will make a point of order as to germaneness, but we are trying to be as broad as possible in consideration of Members' amendments so we can finish late today, if possible.

Mr. DURBIN. Madam President, I ask unanimous consent to yield to Senator LANDRIEU at a later moment when she comes to the floor, 30 minutes or more of the hour—30 minutes, I will yield to Senator LANDRIEU, postcloture.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. I thank the Chair.

The PRESIDING OFFICER (Mr. ENSIGN). The Senator from Washington.

TRANSPORTATION, TREASURY, HUD, AND  
GENERAL GOVERNMENT APPROPRIATIONS

Mrs. MURRAY. Mr. President, I rise today to urge the Senate leadership to call up H.R. 3058, the Transportation,

Treasury, HUD, and General Government appropriations bill for fiscal year 2006, once the Department of Defense appropriations bill is done.

We all want to make our country strong again. We all want to make our communities strong again. One way to do that is to invest in our transportation infrastructure, in public housing, and in the other priorities that are part of that important bill.

Every day we go without a Transportation-Treasury bill is a day that we fall short of making the investments we need to make to strengthen this country. We are not talking about our physical infrastructure, we are talking about our own safety. As I will show in a moment, the failure of the Senate to bring up the Transportation-Treasury bill could actually be threatening the safety of every American who flies on a commercial air carrier.

A floor debate on the Transportation-Treasury bill is long overdue. The House of Representatives passed this bill more than 3 months ago. The Senate Appropriations Committee reported this bill almost 2½ months ago. Today we are almost a full week into fiscal year 2006, and still the Senate has been denied an opportunity to consider and debate and pass this important bill. The Senate needs to debate and pass this bill so we can avoid the unruly and unfair process of funding the Government through another Omnibus appropriations bill. The Senate needs to debate and pass this bill so all of the Senators, not just those on the Appropriations Committee, can have an opportunity to consider and, if necessary, amend that bill. The Senate needs to debate and pass this bill so we can urgently address the critical needs of our transportation and public housing sectors, including the pressing need to protect the safety of all of our citizens.

Mr. President, 2002 was the most recent year in which the Transportation appropriations bill was sent to the President as a freestanding measure. I was chair of the subcommittee at that time. Ever since then, the funding for the agencies under the subcommittee's jurisdiction has been enacted as part of a series of unwieldy Omnibus appropriations bills. The process by which these bills were put together did not reflect well on the Senate. It did not reflect well on the Congress as a whole.

Last year's process was the worst of all. Last year, the Transportation, Treasury, and General Government appropriations bill for fiscal year 2005 was never even debated in the Senate. Once the appropriations bill was reported by the Appropriations committee, the bill languished for months before Congress went home for an election. Then, just before Thanksgiving, Congress reconvened and tried, in 3 days, to assemble a final conference report for dozens of major Federal agencies, even though the Senate had never even passed many of the appropriations bills that funded those agencies.

I think Members of all political stripes in both the House and in the Senate recognized how poorly the public and the Congress were served by that process. In January, everyone said we will not do that again. We heard it from the leadership of both the House and the Senate and from the new leadership of the House and the Senate appropriations committees. I am glad they said it back in January. But from where I sit as the ranking member of the Transportation-Treasury Subcommittee, it sure looks to me as though we are now heading toward another Omnibus appropriations bill.

The bottom line is this. The Transportation-Treasury bill has been sitting on this calendar, ready to be called up, for almost 2½ months. If we want to avoid another Omnibus appropriations bill, we need to call up and pass that bill as soon as we are done with this Defense bill.

This process of sending bills approved by the Appropriations Committee directly to conference without appropriate debate on the Senate floor is not just grossly unfair to Democratic Senators, it is grossly unfair to all of the 72 Senators who do not sit on the Appropriations Committee. The appropriations bill that Senator BOND and I are recommending to the Senate was approved unanimously by the Appropriations Committee back in mid-July. It proposes to spend over \$137 billion.

These are not just tax dollars that were collected in Missouri or collected in Washington or collected in States represented by members of the Appropriations Committee, these are tax dollars that were collected from all Americans. Since that is true, every Senator should have the opportunity to debate this bill and pass judgment on our recommendations. Every Senator should be given an opportunity to amend that bill.

We need to avoid another Omnibus to ensure a fair process. There are also some very practical programmatic reasons why we must call up and, importantly, pass this Transportation-Treasury bill as soon as possible. Now the Government is functioning under a continuing resolution. Under the requirements of that resolution, programs that are funded in the Transportation-Treasury bill are all operating at either the lower of the funding levels passed by the House of Representatives back in June or at the level the program was funded in fiscal year 2005. Some observers have speculated we could be operating under this continuing resolution until Christmas.

It would take hours for me to list all the programs and national needs that will suffer if they are required to operate for any length of time under the funding restrictions of this continuing resolution. If we do not get agreement soon to debate the Transportation-Treasury bill, I may well take up a lot of the Senate floor time to explain each and every one of them.

But today I want to focus on one topic and that is the topic of aviation

safety and what our failure to move this Transportation-Treasury appropriations bill means for millions of Americans who travel by air in this country today. Over the last few years, our national aviation enterprise—our airlines, our airports, and the FAA—have been under an unprecedented amount of financial pressure. We now have no fewer than six airlines in bankruptcy. If jet fuel prices do not start declining soon, that number could grow even higher.

In the interests of cutting costs, airlines on which you and I travel have been cutting back on staff, have been renouncing their pension plans, and have been outsourcing an increasing percentage of their aircraft maintenance.

I know many other Senators, including myself, travel home almost every weekend, and we have all noticed the changes in the service the airlines offer. Staffing is leaner than ever and we have a lot of flight delays. Mechanical problems are on the rise. One important area of cost cutting has been the airlines' continuing efforts to contract out their aircraft maintenance activities to third parties, including, you all should know, overseas vendors known as foreign repair stations.

In the past, airlines maintained their planes with experienced veteran unionized mechanics. Today, they outsource more than 50 percent, more than half of their maintenance work, to independent operators. Airlines such as Northwest send some of their aircraft as far as Singapore and Hong Kong for heavy maintenance.

We have one major carrier, Jet Blue, that sends a large portion of their Airbus fleet to be maintained in El Salvador, Central America. That is where their planes are maintained.

America West Airlines, now merged with U.S. Airways, does the same thing.

Many of us watched in fear a few weeks ago when a Jet Blue A-320 was required to make an emergency landing at the Los Angeles International Airport. As we all watched on television, we saw its front landing gear facing sideways, at 90 degrees. That was not the first time the landing gear didn't engage correctly. In fact, it was not the 5th time, it was not even the 10th time, it was the 14th time that the FAA learned of the front landing gear of an A-320 aircraft not engaging correctly.

According to the FAA, these 14 dangerous and frightening mishaps have occurred as a result of 5 separate and distinct causes.

It is the job of the FAA inspectors to find out why these problems happen and to force the plane's manufacturer to fix that problem. We cannot afford to have an understaffed or an overwhelmed FAA safety office.

Our airlines are going through a period of dramatic and rapid change. That puts an extraordinary amount of stress on the aircraft inspection func-

tion of the Federal Aviation Administration.

We have received a disturbing series of reports from the DOT Inspector General, from the Government Accounting Office, and the National Transportation Safety Board citing deficiencies with the FAA's inspection effort.

In 2004, the NTSB found that deficient maintenance by an outside contractor and inadequate oversight by the airline and the FAA contributed to the 2003 crash of a commuter flight to Charlotte, NC. That crash killed 21 people.

The DOT Inspector General first identified serious deficiencies with the FAA's inspection efforts back in 2002. Just this past June, the IG reported that many of those deficiencies have still not been adequately addressed.

The IG found that the FAA focused too much attention on the airline's dwindling in-house maintenance function and not enough attention on the outsourced maintenance activities of their foreign contractors.

The IG found that the FAA inspectors were spending too much time inspecting maintenance facilities during the day, while a majority of the maintenance activities are actually conducted at night.

The IG found the FAA was doing an insufficient job of its surveillance of financially distressed or rapidly growing airlines. And the IG found the FAA was not able to meet its own standards for frequent inspections because it was short staffed.

In just the last few weeks, the FAA staffing shortage has become even more critical. As these airlines enter bankruptcy, the FAA is automatically required to step up its inspections of bankrupt carriers.

Today, the FAA must give heightened scrutiny to the six bankrupt carriers, as well as four other carriers that are in merger proceedings.

Following the liquidation of Eastern Airlines several years ago, a number of dramatic and horrifying revelations came out regarding the maintenance shortcuts that Eastern took in the interest of conserving cash in its waning days. The entire aviation community vowed that there would not ever be a repeat of the Eastern Airlines experience.

I would think with the external recommendations and the record that I have just cited, the FAA would now be rapidly hiring more inspectors to keep up with its growing and challenging workload. Unfortunately, over the course of the last year, the exact opposite has been the case.

Despite the fact that the Congress granted the FAA's inspections office every penny that was sought in the President's budget for fiscal year 2005, the office has been required to downsize by roughly 300 inspectors over the course of just this last year. That is right. As the requirements on our FAA inspectors to maintain safety in our skies has increased dramatically,

the FAA has been downsizing its inspection force each and every month.

This unacceptable situation is one that Senator BOND and I pursued as part of our hearings with Secretary Mineta this year—and the House Appropriations Committee did the same. I am proud to say that on a bipartisan and bicameral basis, both the Transportation-Treasury bill passed by the House and the bill that has been reported by the Senate Appropriations Committee seeks to rectify the situation.

The House Appropriations Committee provided this office with an increase of \$4 million over the President's budget request and committed those funds to the hiring of additional inspectors.

The Senate provided an increase of \$8 million over the President's request, and we directed that funding be used to restore safety inspector staffing reductions that occurred during fiscal year 2005.

Personally, I still question whether we should be doing more in this area since we have now had two more airlines in bankruptcy since we marked up that appropriations bill.

But still, these actions on the part of the House and Senate committees indicate that Congress, on a bipartisan and a bicameral basis, is prepared to address this glaring safety vulnerability, even if the administration is not.

With that said, we can't make any progress in tackling this problem if we do not call up and pass the Transportation-Treasury appropriations bill.

Under the current continuing resolution, the agency can make no progress in restoring the necessary FAA inspectors to a level that could better protect us.

As I said, this was just one of several reasons it is imperative for the Senate leadership to call up the Transportation-Treasury bill.

I again implore the Senate Republican leadership to call up the Transportation-Treasury bill immediately upon the completion of this Defense appropriations bill.

We have to have the opportunity to debate this bill, not just for the fairness of our colleagues and to maintain the integrity of the Senate, but we must debate this bill and pass it so we can ensure the safety of our citizens.

#### VAWA REAUTHORIZATION

Mr. President, I rise today to speak about the Violence Against Women Act, which the Senate this week passed by unanimous consent.

For the last few months, we have been talking about reauthorizing the Violence Against Women Act, or VAWA, as it is better known.

Back in 1994, through this historic legislation, we created a national strategy for dealing with domestic violence, establishing a community-wide response. Since we took that historical step, VAWA has been a great success in coordinating victims' advocates, social service providers, and law enforcement



professionals to meet the immediate challenges of combating domestic violence. We can clearly see that VAWA has been tremendously effective.

But there is still work to be done to protect victims of domestic violence—particularly when it comes to helping victims break the cycle of violence. And that is what I am here to talk about today—breaking the cycle of violence.

Financial insecurity is a major factor in ongoing domestic violence.

Too often, victims who are not economically self sufficient are forced to choose between protecting themselves and their children on one hand, and keeping a roof over their head on the other hand. It is critical that we help guarantee the economic security of victims of domestic or sexual violence who cannot pay the rent without their abusive partner, or who have been forced to leave their job because of abuse. Without our help, economic dependency will continue to force these victims to stay in abusive relationships.

The purpose of the Violence Against Women Act is to reduce domestic violence. The reauthorization legislation addresses several new issues that will help prevent and reduce domestic violence. One such—way as I already mentioned—is a national health care strategy. But the legislation as introduced contained another important tool to helping reduce domestic violence—it contained provisions that would have allowed victims to take up to 10 days of unpaid leave per year to address domestic violence.

Over 40 percent of American workers get no paid time off. They can't use vacation time to address their abuse, and missing work puts them in danger of losing their job.

This provision would have allowed these victims, and many others, to take unpaid leave to get a protective order, see a doctor, or make a safety plan to address their abuse. But sadly, amidst opposition and complaints of jurisdictional issues, these provisions were stripped from the bill during consideration in the Judiciary Committee.

The legislation that was reported out of committee—which the Senate just passed by unanimous consent—does not contain any economic protections for victims.

I did not give up on these protections easily. After the leave provisions were dropped, I asked the managers of this bill to include another economic security provision, unemployment insurance. Specifically, I asked them to provide victims of domestic violence, dating violence, sexual assault, or stalking with unemployment insurance if they have to leave their job or are fired because of abuse.

We know that a job is often the only way for victims to build up resources for themselves to eventually leave a violent relationship, but abuse and stalking can make it impossible for a victim to keep a job.

We know of cases where abusers will deliberately sabotage a victim's ability to work, placing harassing phone calls, cutting off their transportation, showing up at the workplace and threatening employees.

When a victim loses a job because of violence, that victim should have access to unemployment insurance compensation benefits.

Are you aware that a woman is eligible for unemployment benefits if she has to leave her job because her husband had to relocate? But in many States, if a woman has to leave her job because she is fleeing a dangerous situation, she cannot receive the same benefits. That is unacceptable.

Currently, 28 States plus the District of Columbia already provide some type of unemployment insurance assistance for victims of domestic violence. We can offer that same protection to victims in every State, and we have an obligation to do it. But, since this provision is not included in VAWA either, we need to do it here and now.

It is important to recognize that this violence goes far beyond the home, too often following victims into the workplace, where it doesn't just hurt victims—it hurts their employers, too.

In fact, from decreased workplace productivity to increased health insurance cost, the data shows that domestic violence is bad for business. It has real and painful costs on employers. So for those Members who want to weigh this measure against its economic merits, the facts are clear.

Providing the tools that will allow abused women to escape abusive relationships can help offset billions of dollars in costs that domestic violence imposes on businesses.

As many of my colleagues know, I have been working on the issue of economic security for victims for many years. I have spoken with victims and their advocates, and employers. In fact, just this past Tuesday in my State of Washington, I held a roundtable discussion to meet with stakeholders. I heard from an employer—and owner of a small business in Snohomish County—who talked about the importance of flexible schedules and leave policies that allow employees to address their abuse. He said that helping them address their situations helps his bottom line.

I also heard from someone who works at the employment security department, who said that the numbers do not suggest that women are abusing unemployment insurance. And I heard from a survivor, who shared her story and talked about the crucial importance of these economic protections.

These are the voices we must hear. And these are the stories we must learn from and let guide our work here in the Senate.

I am going to keep coming to the Senate as many times as it takes, and I will tell these stories until my colleagues realize this is an issue that needs to be addressed. We need to pro-

vide these victims with the economic tools to help escape their dangerous situation.

For a long time, violence against women was considered a private matter. That attitude hurt women. Today, stopping domestic violence is everyone's business. That is in large part due to the Violence Against Women Act which I was very proud to work on and help pass. For the first time, the Violence Against Women Act recognized domestic violence as a violent crime and a national public health crisis.

Economic protections are the next logical step in the progress we have been making in fighting domestic violence. Unfortunately, many of my colleagues have not realized the critical importance of providing these economic protections. I brought this issue up last year when the Senate was considering the Unborn Victims of Violence Act. I tried to amend that bill with my Security and Financial Empowerment, SAFE, Act, which contains all the economic protections I have talked about today. I was told then it wasn't the right time to address preventing violence against women. My amendment was defeated on a party-line vote. I am here again talking about how the Senate is failing to address this issue and failing to help prevent domestic violence by overlooking these economic provisions.

I reiterate to my colleagues that I will continue to come to the Senate and talk about how critical this issue is in helping victims get out of abusive relationships. I will continue to introduce legislation and offer amendments providing economic protections to victims. I will continue to ask whether the Senators in this Chamber are serious about talking about the next crucial step to help victims of abuse. I urge the conferees on the Violence Against Women Act to send the powerful message to victims that they understand how important these economic protections are by including them in the conference report on VAWA.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, is the Coburn amendment the pending amendment?

The PRESIDING OFFICER. It is.

Mr. STEVENS. Mr. President, I ask unanimous consent that the vote on the Coburn amendment commence at noon and prior thereto there be a period of 10 minutes equally divided with no second-degree amendments in order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, in the interim, if any Senator wishes to discuss an amendment, we are pleased to

proceed. We will accommodate any Senator with regard to amendments they wish to discuss. We discussed this matter last night with Senator COBURN, and he agreed we could initiate a vote on his amendment sometime around noon. We would like to proceed on that basis.

I once again urge Senators to present their amendments or work with us with regard to the package we are now discussing on amendments which will be accepted without debate.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I wish to announce to the Senate my intention to move to make a point of order against all amendments that have been indicated by the Parliamentarian to be not germane commencing at 2 o'clock. So if any Senator wishes to discuss that category of amendments, we would be pleased to discuss them either prior to this vote or after the vote. We would like to have a decision made, if possible, as to how many more amendments we will deal with today.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 1943, AS MODIFIED; AND 1997, EN BLOC

Mr. STEVENS. Mr. President, I send to the desk the first managers' package for the day. I will present it now. We offer, for Senator REED of Rhode Island, amendment No. 1943, a sense of the Senate on increased personnel end strengths, and it has been modified; for Senator MIKULSKI, amendment No. 1997, for laser marksmanship training. I ask unanimous consent that these amendments be considered en bloc.

Mr. INOUE. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I ask unanimous consent that the amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendments are agreed to en bloc.

The amendments were agreed to en bloc, as follows:

AMENDMENT NO. 1943, AS MODIFIED

(Purpose: To express the sense of the Senate on the transfer of amounts for increased personnel strengths for the Army and the Marine Corps from Additional War-Related Appropriations to the recurring appropriations for fiscal year 2006)

At the appropriate place, insert the following:

**SEC. \_\_\_\_ SENSE OF SENATE ON TRANSFER OF FUNDS FOR INCREASED PERSONNEL STRENGTHS FOR THE ARMY AND MARINE CORPS.**

(a) FINDINGS.—The Senate makes the following findings:

(1) A long-term increase in the personnel end strengths for active duty personnel of the Army and the Marine Corps is necessary in order to carry out the current missions of the Army and the Marine Corps and to relieve current strains on Army and Marine Corps forces.

(2) The cost of the increase in such end strengths is foreseeable and should be included in the annual budget of the President for each fiscal year, as submitted to Congress pursuant to section 1105 of title 31, United States Code, in order to provide a full and honest accounting to the American people of the personnel costs of the Army and the Marine Corps.

(3) The inclusion in the annual budget of the President for each fiscal year of the costs of an increase in such end strengths will permit the Army and Marine Corps to plan for and accommodate the additional troops contemplated by such increased end strengths without reducing other important programs.

(b) SENSE OF SENATE.—It is the sense of the Senate that the additional amounts to be required for increases in the personnel end strengths for active duty personnel of the Army and the Marine Corps for fiscal year 2006 should be transferred from amounts appropriated by title IX for the Military Personnel, Army, Military Personnel, Marine Corps, Operation and Maintenance, Army, and Operation and Maintenance, Marine Corps, and Operation and Maintenance, Defense-Wide, accounts to the amounts appropriated for the applicable accounts in titles I and II.

**AMENDMENT NO. 1997**

(Purpose: To provide that, of the amount made available under title III for the Air Force for other procurement, up to \$3,000,000 may be made available for the Laser Marksmanship Training System)

On page 220, after line 25, add the following:

SEC. 8116. Of the amount appropriated by title III under the heading "OTHER PROCUREMENT, AIR FORCE", up to \$3,000,000 may be made available for the Laser Marksmanship Training System.

Mr. STEVENS. I move to reconsider the vote.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

**AMENDMENT NO. 2005**

Mr. WARNER. Mr. President, Senator LEVIN and I are currently conducting a hearing of the Armed Services Committee. Both of us believed it was imperative to come to the Chamber and express to the Senate our strong objection to the amendment offered by our distinguished colleague, Senator COBURN. I give this by way of background.

The Committee on Armed Services for some time has been, frankly, encouraging the Department to take steps to try to put in place a system that would revise the older means by which travel was accommodated for members of the Department and others. It is a very extensive number of individuals who are affected. The Department did put in place a program, albeit rather slowly. Nevertheless, it is now in place.

Congress, through the years, has criticized the Department for not providing better business practices, specifically for the inadequate oversight of their travel programs. Criticism centered around a growing number of separate, nonintegrated travel systems which did not provide the information required for DOD or congressional oversight. Therefore, the Defense Travel System was created by the DOD to address these criticisms and the desperate need to make this system work more cost-effectively.

Comparing the Defense Travel System to the legacy systems is inappropriate because the Defense Travel System performs different functions. The legacy systems are travel reservation systems. The DTS, as it is known, re-engineers these legacy systems into a travel and financial management system which links 30 defense data and financial processing systems with the consequent lower transaction and processing fees and lower personnel costs. DTS is saving both people and money. A return to the legacy systems will require additional people, which is not funded. As DTS is further implemented, additional savings will be achieved.

Our joint plea is to allow DTS to remain in place and give it a reasonable chance to function and prove its goals. According to the GAO, the "continued use of the existing legacy travel systems results in underutilization of DTS and affects the savings that DTS was planned to achieve." This includes paying higher processing costs through the legacy systems' manual travel vouchers as opposed to the processing of the travel vouchers electronically through DTS.

The GAO and the Department of Defense have briefed the Armed Services Committee staff that they believe DTS should be given a reasonable opportunity to continue to resolve the Department's travel programs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I thank the Senator from Virginia for his comments.

This amendment does not eliminate DTS. It says that instead of continuing to pay \$40 or \$50 million a year for the 5.6 million travelers who travel, we will pay a fee based on DTS's operations. The Federal Government doesn't own this program. In fact, anybody who looks at the development of this program will say it is way too expensive

to have been accomplished in the way it was accomplished. That is another issue. That is contracting within the DOD, and there are problems with that.

I remind the most distinguished Senator from Virginia, this doesn't eliminate DTS. It allows it to continue to function. But what it says is we are not going to continue to pay money for a program we don't own, and we will start paying it on a per-travel basis.

What are the facts around it? Three hundred and seventy-five thousand out of 5.6 million travel vouchers last year went through the DTS system. That is \$1,500 per episode, not including the travel. So what we actually have is a system way more expensive than any system that has been developed in the private sector.

I am not against using the DTS system. I am all for giving it a chance to save us money. We have invested in it. What this amendment says is that we don't eliminate DTS; we just start paying on a per-travel basis and a per-utilization basis. That way, we don't continue to spend \$50 million a year for a program we don't own. We should own it for what we pay for it, and there shouldn't be any cost.

I would be happy to modify my amendment to what would meet with the needs of the Senator from Virginia, but I don't believe we should continue to spend, in the contracting sequence this has gone through, the same amount of money. If we allow DTS to continue to be out there and utilize the reporting capability of it but pay it on a per-ticket use rather than a blank check for a contract, the taxpayer will get much more benefit from it. If it performs, the contractor will make more money. If it doesn't perform, we will save a ton of money for the country. That is the purpose of the amendment.

Mr. STEVENS. Will the Senator yield for a moment?

The PRESIDING OFFICER. The Senator from Oklahoma has the floor.

Mr. COBURN. I am happy to yield.

Mr. STEVENS. We entered a time limit to have this vote occur at 12. In view of the exchange that is going on—and another Senator also wants to talk—I ask unanimous consent that the vote take place at 12:10 and the time between now and then be divided between Senator COBURN and anyone who wishes to speak on this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I must say, I am impressed with the thoroughness with which our colleague has researched this issue and the fervor with which he speaks. But I pose this question: The Department of Defense estimates it will cause a 3-year delay and cost some \$65 million to change the contract structure. I reiterate my strong opposition to the amendment because I don't think the Department has had the time operating DTS to adequately prove the principles and the goals they wished to achieve.

I recognize other colleagues wish to speak. I thank my colleague for the opportunity to have a colloquy.

Mr. COBURN. Mr. President, 3 more years? We have spent 7 years and \$500 million on this system. That is a half a billion dollars. That is \$2 for every man, woman, and child in this country for a travel system that you could have bought off the shelf for \$150 million in 2 or 3 years. The contracting issue is a different issue. If it is going to take 3 more years at \$50 million a year, that means we are going to be at \$650 million for this travel system. That is unacceptable. I believe we ought to say perform or don't perform and put it at a per-unit cost. Why is it that only 370,000 out of 5.6 million travel episodes were used on this system at the end of 7 years?

We have a structural problem in contracting through the Defense Department, as well as many other departments in our Government. What started out to be a \$60 million project is now going to end up being \$650 million. It is the same issue we face with FEMA today in terms of being efficient.

I ask my colleagues to think about how this will still continue if we do it on a per-travel basis. First, it will increase the stimulus to get the job done and completed because there will be more revenue, the more people who use it. Two, it will limit the total amount of money the taxpayers are going to end up having to pay for this system. Three, it will send a message to the contract officers at the Pentagon that creep in terms of contracting is not acceptable. There are some real questions on whether this process violated the contracting laws at the Pentagon. I assure my fellow Senators, through the Federal Financial Oversight Committee, if this continues, we are going to have some hearings to look at the issue of violation of the contracting laws at the Pentagon. We should not have to do that.

Let's limit the exposure of the American people to the cost. I am not upset at the contractor who is doing this. The problem is, it is a big task, but it has cost way too much. Let's provide some stimulus to finish the job and make sure the job is done well rather than continue to throw money at it.

With that, I yield the floor at this time.

The PRESIDING OFFICER. Who yields time?

The Senator from Virginia.

Mr. ALLEN. Mr. President, I very much respect the Senator from Oklahoma. He is a man who is a watchdog on the taxpayers' money, and so am I. I know he is very conversant on a variety of issues. It is one of those occasions I must rise in opposition to the Senator's amendment.

Congress, several years ago, authorized the Defense Travel System with the aim of saving taxpayers' dollars, and that makes a great deal of sense to make sure that travel administration by the Department of Defense has

greater scrutiny. In fact, as I understand it, they have found by doing it this way—and it is only being field tested; it is not fully implemented—those who are traveling at first-class and tickets being paid for where travel wasn't used. This system is actually helping save the taxpayers money and also identifying when Government workers are flying at a higher cost than they ought to.

I am told that it is now used at a little bit more than half of the Department of Defense 11,000 sites by nearly 700,000 uniformed and civilian personnel. It appears, from what I have looked at, that DTS has not only met but exceeded its original objectives. It is not fully put in place. It is being field tested. As a practical matter, we would like another year or so to see it fully implemented. I am told that it has handled more than a million transactions, and it is well on its way to saving the projected \$56 million a year for the American taxpayers.

As to efficiency and savings, any GSA solution will strip away what are planned savings and actually increase operations costs. This is the information I have been trying to gather on this since Senator COBURN offered the amendment. It would actually increase operation costs from \$40 to \$60 million annually. Senator WARNER used the figure of \$65 million. Regardless, there would be an added cost.

One thing the Senator from Oklahoma mentioned is that the Department of Defense does not actually own this software system and that what the Department of Defense, though, has done is it has appropriate license rights to the DTS software system in accordance with Federal acquisition regulations. While there are these allegations from outside parties that criticize the DTS program on the basis that the Government failed to obtain title to the DTS software, what is ignored is that the Federal acquisitions regulations provide that in the vast majority of Federal contracts, the Government does not take title, but instead it is given a license to the software. And the Department of Defense has secured appropriate license rights to all the developed software and third-party software products used by DTS.

The Senator from Oklahoma stated that this contract may violate the very laws that were put on the books to try to maintain competition in contracting. I don't know whether it was an assertion or a conclusion.

I respectfully disagree. The legality of the restructuring of the DTS contract has been challenged in court. From what our research has shown, no court has found that the entire restructured contract was illegal. It simply stated no part of the contract, as currently configured, has been found by any court to be illegal. Maybe it will be in the future, and we will see.

Mr. COBURN. Will the Senator yield for a question?

Mr. ALLEN. Let me finish and then the Senator can respond. I say to my

friend from Oklahoma, I do have a great deal of respect for him. He is truly a steward of the taxpayers' money. I pride myself, also, in being a good steward of the taxpayers' dollars. I know there have been hearings on this DTS program. We need to continue to examine this issue and, in fact, a lot of others. To cut funding right now for this program would be a hasty action and, from all the information I have been able to glean, would actually increase the cost to the taxpayers.

The Department of Defense does oppose this amendment. They called my office a short time ago expressing this opposition. They promised to review the GAO report as soon as possible. I do think the more prudent approach is to, of course, commend the Senator from Oklahoma for any kind of scrutiny. No spending should not be under the watchful eye of us as stewards of the taxpayers' dollars. But because of a lack of understanding on the part of the Senators on the floor and this amendment, this should continue to be studied.

I will oppose this amendment and work, such as all of us, to study this issue further. I hope my colleagues will oppose the amendment.

Mr. STEVENS. Will the Senator yield?

Mr. ALLEN. I yield to the Senator from Alaska.

Mr. STEVENS. I underestimated the amount of time needed. Senator LEVIN wishes to speak. I ask unanimous consent that the vote take place at 12:15 p.m. and that the additional time be divided between the Senator from Oklahoma, Mr. COBURN, and the Senator from Michigan, Mr. LEVIN.

The PRESIDING OFFICER (Mr. GRAMHAM). Without objection, it is so ordered.

Mr. ALLEN. I yield the floor.

Mr. COBURN. Will the Senator yield?

Mr. ALLEN. Yes, I yield to the Senator from Oklahoma.

Mr. COBURN. I don't have any problems in putting a lid on this contract, but let's have a little history. The reason the judge could not find a violation in the Competition in Contracting Act was because the Pentagon did not own the software. By design, they cannot have it if they do not own it.

It was interesting, before the hearing last week, the contractor offered to give the property rights to the Pentagon. In the testimony last week, it was noted that DTS performs less effectively than almost every other civilian e-travel system.

We are 7 years into it. We are going to spend another \$150 million. Also, in the history of the contract, this is another no-bid contract that I know Senator LEVIN is very interested in. It is a cost plus—\$43.7 million in the first year, that was not in the contract, and we went on and paid it for anyway.

Based on what is happening with the contracting and how we are getting around the Competition in Contracting Act, I believe we need some real sunshine on this.

The fact is, we are going to spend another \$150 million. If the Defense Department would guarantee me that we are not going to spend more than another \$100 million to get a travel system that we own, not licensed, but we own, since we are going to pay \$650 million for something that should have cost \$150 million, then I would be happy to withdraw this amendment. But you cannot get an assurance out of the Pentagon what the cost is going to be because there is not any end in sight in the cost.

We don't own it. They have offered to because of that, but once the Pentagon owns the contract and the rights to this, then the Competition in Contracting Act goes into force, and then there is a basis for the violation.

So the reason the judge ruled the way he ruled was because we did not have ownership to the property. So, therefore, there was no basis for the claim. I understand that, but that is the reason that was not given to the Pentagon, that the Competition in Contracting Act could not be enforced.

I am happy to drop this issue if somebody will stand up and say there is a limit to how much we are going to spend. We have already spent four times what the public should have spent on any system. No private business would have spent this amount of money for this system. Nobody would have.

We ought to look at it very hard. Give me the assurance that there is an end to this and that it is more efficient than anything we could have done otherwise, and I will drop my look at it.

I believe the way to stimulate responsibility in this contract is to put it on a per-issue basis now to make it work.

I yield the floor.

Mr. ALLEN. Mr. President, I reclaim my time and then I will yield. I also share with my colleagues that the judge who reviewed this case did not find a violation, for whatever technical reasons Senator COBURN may say, but the adjudication was there is no violation. The judge also said that to start over would be a mistake.

I yield the floor.

Mr. COBURN. Will the Senator yield for one comment?

Mr. LEVIN. Mr. President, how much time is remaining on our side?

The PRESIDING OFFICER. The opposition has 6 minutes. The Senator from Oklahoma has 3 minutes 21 seconds.

Mr. COBURN. I will be happy to claim my time.

Mr. LEVIN. If the Senator is seeking recognition on his time, I have no objection.

Mr. COBURN. I will be happy to.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Mr. President, are we going to have a judge decide on the basis of economics whether we start over? What does that have to do with adjudication? He is making an eco-

nomics decision for us. That is our job. That is not the judge's job. It doesn't matter whether he says it will be more expensive; that is not his role. That is part of our problem in the judiciary today. That is not his role. That is our role.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I rise in opposition to the amendment of the Senator from Oklahoma. I do so with some reluctance, actually, because I have great admiration for the Senator from Oklahoma and his efforts to curtail waste in the Government. I have joined him on a number of those efforts. As a matter of fact, I very much admire his efforts and the efforts of the subcommittee he chairs to go after waste. I think he is going too far in this particular case, and he is going after an effort to try to integrate the thousands—literally thousands—of financial management systems in the Department of Defense.

We had a chart a few years back with a box for each financial management system in the Department of Defense, perhaps half the size of the curtain behind the Presiding Officer. There were thousands of boxes on that chart. We told the Department of Defense: You have to get your house in order; you have to get some financial management in the Department of Defense so that we can tell whether your expenditures—so that you can tell and then we, as oversight people, can tell—are those expenditures authorized; do your managers know how much you are spending on what; is the payment automatic when these expenditures are made?

For instance, for travel, when a ticket is purchased, is that ticket paid for automatically the way it should be by a computer if it is authorized or is there going to have to be someone, as the status quo provides, cutting a check for the travel? That costs money. It may not appear in the cost of the ticket of the one transaction that may be the "cheapest" transaction, according to some system, but there is a cost to pay for that transaction.

We want the payment to be automatic when the transaction is authorized. We want the ability of managers to know what is being spent, is the travel authorized, can you go back and track the travel automatically?

Now we have thousands of systems out there, with thousands of managers, not integrated into a system, where the kind of management that is so essential in the Pentagon can occur.

That is the problem with the amendment. It goes back to a focus on individual transactions to purchase tickets rather than to make a system to buy the travel part of an integrated management system.

Look, we put a lot of pressure on the Pentagon. We have put a huge amount of pressure on it to come up with some

financial management capability. They have been a failure at it. Now they are trying to do it—they have not succeeded, by the way. This system has plenty of bugs in it. As the Senator from Oklahoma properly points out, there are bugs in this system. But we don't kill the effort to try to get integrated financial management so there is some accountability for the funds that are spent by the Pentagon.

We do not want to go back to ground zero. We want to try to make this work. And the problem with this amendment is that it goes too far because it says:

None of the funds appropriated by this Act may be obligated or expended for further development, deployment, or operation of any web-based, end-to-end travel management system, or services under any contract for such travel services that provides for payment by the Department of Defense to the service provider—

Except for a fixed-fee transaction payment.

That puts us back to millions of individual transactions which are unaccountable and for which we cannot have proper oversight. That is the problem.

I admire the Senator's goal in trying to come up with a system which is better than the one we are now proceeding to acquire. We are going to work out the bugs, hopefully, in that system. But I disagree to going back to ground zero because we have to get some integrated financial management at the Pentagon. That is the purpose of this DTS system.

It has not yet been achieved. I agree with the Senator from Oklahoma, it has not been achieved, but I don't think we ought to blow up the effort and go back to ground zero.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I thank the Senator from Michigan for his comments. This does not go back to ground zero. This leaves the DTS system intact. What it says is we are going to pay a fee for every transaction you do. We have spent \$500 million on this and, as the Senator from Virginia said, we are up to \$600,000 out of the 3.6 million transactions.

I can think of no better incentive to have the bugs worked out of it by the contractor than to get more of the 3.6 million transactions. It does not eliminate this. It does not take us back to ground zero. It leaves DTS intact. It says the way we are going to pay for it, from now on, is on a per-transaction basis, rather than a fixed amount or \$50 million plus cost that is going to run, which we see now is at least 3 years, at least another \$150 million.

We have 3.6 million transactions per year that are going to go through there. It does not do what the Senator claims. It does not eliminate DTS. It does not cause any change in the implementation of the program, other than pay for it on a per-transaction basis. The taxpayers ought to be will-

ing to say: Hey, if it is going to work, it is going to work, and we will pay for it as it works now. We have spent half a billion dollars.

I reserve my time.

Mr. LEVIN. Mr. President, how much time is remaining?

The PRESIDING OFFICER. There is 1 minute 22 seconds remaining.

Mr. LEVIN. Mr. President, again, I thank my friend from Oklahoma. This is a prohibition on spending any additional money to operate any Web-based, end-to-end management system. That is what is in the language. It says you cannot spend any more money. We can't get the bugs out, which is what we should do if you can't spend any more money to improve this system.

The Senator from Oklahoma goes back to an individual transaction system which does not provide the ability to determine whether travel is authorized, does not permit the people who are responsible to pay for the travel to know whether it is authorized and to pay for it by computer automatically. We have millions of transactions that are going to have to be paid for individually instead of part of the end-to-end system.

So if the Senator had allowed for the correction of this system to work out the bugs, that would be one thing. But it does not. This says you cannot spend any more money on a Web-based system, and that is the mistake of this amendment. That is why it goes too far, although it is well intended.

Mr. COLEMAN. Mr. President, will my colleague from Michigan yield time? I wish to speak on this issue in support of it.

The PRESIDING OFFICER. The Senator has no more time to yield. The Senator from Oklahoma has 1 minute 20 seconds.

Mr. COBURN. Mr. President, I will speak for a short time and then give my colleague from Minnesota a chance to finish, even though he opposes my amendment.

The Pentagon has the ability to set that transaction fee on a per basis. They will be able to still fund it. If there ends up being a million people this next year and they charge \$30 per fund, they will get \$30 million out of it.

The point is, the Pentagon has the flexibility to do it that way.

I yield the remainder of my time to the Senator from Minnesota.

Mr. COLEMAN. Mr. President, I support the intent of what my colleague from Oklahoma wants to do. He wants to clean up this system. We had a hearing on this issue last week. The Permanent Subcommittee on Investigations had a hearing on this issue, and we have questions out to the DOD, out to the GAO, and we have a commitment from the Under Secretary of Defense to work with us.

I have said if we cannot get the right answers we should pull the plug, but now is not the time to pull the plug. We do oversight for a reason. We are in the process of oversight. Let us get an-

swers to the questions, but clearly then we want to have the right kind of system. So I agree with the intent of what my colleague is trying to accomplish, but this is not the way to do it or the time to do it. Let us finish our investigative work. Let us get the answers, and then we can bring this issue up at another time.

The PRESIDING OFFICER. All time has expired.

The Senator from Alaska.

Mr. STEVENS. On behalf of Senator INOUE and myself, I move to table the amendment of the Senator from Oklahoma and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Colorado (Mr. ALLARD), and the Senator from Utah (Mr. HATCH).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. CORZINE) was necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 65, nays 32, as follows:

[Rollcall Vote No. 253 Leg.]

#### YEAS—65

Akaka	Dorgan	Mikulski
Alexander	Ensign	Murkowski
Allen	Enzi	Murray
Baucus	Feinstein	Nelson (NE)
Bennett	Frist	Pryor
Biden	Hagel	Reed
Bond	Harkin	Reid
Bunning	Hutchison	Roberts
Burns	Inouye	Rockefeller
Carper	Isakson	Salazar
Chafee	Jeffords	Santorum
Chambliss	Johnson	Sarbanes
Clinton	Kennedy	Schumer
Cochran	Landrieu	Shelby
Coleman	Lautenberg	Smith
Collins	Leahy	Specter
Conrad	Levin	Stevens
Cornyn	Lieberman	Talent
Craig	Lott	Vitter
Crapo	Lugar	Voinovich
DeWine	Martinez	Warner
Domenici	McConnell	

#### NAYS—32

Bayh	Dole	McCain
Bingaman	Durbin	Nelson (FL)
Boxer	Feingold	Obama
Brownback	Graham	Sessions
Burr	Grassley	Snowe
Byrd	Gregg	Stabenow
Cantwell	Inhofe	Sununu
Coburn	Kerry	Thomas
Dayton	Kohl	Thune
DeMint	Kyl	Wyden
Dodd	Lincoln	

#### NOT VOTING—3

Allard	Corzine	Hatch
--------	---------	-------

The motion was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 1896

Mr. STEVENS. Mr. President, I ask unanimous consent that we now call up the Dayton amendment, No. 1896.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Minnesota [Mr. DAYTON] proposes an amendment numbered 1896.

Mr. STEVENS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To appropriate, with an offset, an additional \$120,000,000 for Operation and Maintenance, Defense-Wide, for certain child and family assistance benefits for members of the Armed Forces)

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) ADDITIONAL AMOUNT FOR OPERATION AND MAINTENANCE, DEFENSE-WIDE.—The amount appropriated by title II under the heading “OPERATION AND MAINTENANCE, DEFENSE-WIDE” is hereby increased by \$120,000,000.

(b) AVAILABILITY FOR CHILD AND FAMILY ASSISTANCE BENEFITS.—Of the amount appropriated by title II under the heading “OPERATION AND MAINTENANCE, DEFENSE-WIDE”, as increased by subsection (a), \$120,000,000 may be available as follows:

(1) \$100,000,000 may be available for childcare services for families of members of the Armed Forces.

(2) \$20,000,000 may be available for family assistance centers that primarily serve members of the Armed Forces and their families.

(c) OFFSET.—

(1) IN GENERAL.—Subject to paragraph (2), the amount appropriated or otherwise made available by this Act for the Missile Defense Agency is hereby reduced by \$120,000,000.

(2) LIMITATION.—The reduction in paragraph (1) shall not be derived from amounts appropriated or otherwise made available by this Act for the Missile Defense Agency and available for missile defense programs and activities of the Army.

Mr. STEVENS. Mr. President, I ask unanimous consent that the time between 2 p.m. and 2:15 be equally divided between the sponsor and the managers of the amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. STEVENS. And that there be no second-degree amendments but any motion in relation to this amendment be in order.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 1929, 2000, AND 1924, EN BLOC

Mr. STEVENS. Mr. President, I have a managers' package. I send it to the desk. In this package is an amendment for Senator LEVIN, No. 1929, for the medium tactical vehicle modifications; Senator LEVIN, No. 2000, pertaining to Indian tribes; and, Senator KENNEDY, No. 1924, for humvee integrated starters.

I ask unanimous consent that these three amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I ask for consideration of those amendments.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendments en bloc.

The amendments were agreed to en bloc, as follows:

AMENDMENT NO. 1929

(Purpose: To make available \$5,000,000 from Research, Development, Test, and Evaluation, Army, for Medium Tactical Vehicle Modifications)

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. Of the amount appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY”, up to \$5,000,000 may be used for Medium Tactical Vehicle Modifications.

AMENDMENT NO. 2000

(Purpose: To provide that the governments of Indian tribes be treated as State and local governments for purposes of the disposition of real property recommended for closure in the report to the President from the Defense Base Closure and Realignment Commission, July 1993)

On page 220, after line 25, insert the following:

SEC. 8116. Section 8013 of the Department of Defense Appropriations Act, 1994 (Public Law 103-139; 107 Stat. 1440) is amended by striking “the report to the President from the Defense Base Closure and Realignment Commission, July 1991” and inserting “the reports to the President from the Defense Base Closure and Realignment Commission, July 1991 and July 1993”.

AMENDMENT NO. 1924

(Purpose: To make available \$1,000,000 from Research, Development, Test, and Evaluation, Army, for Integrated Starter/Alternator for Up-Armored High Mobility Multi-Wheeled Vehicles)

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. Of the amount appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY”, up to \$1,000,000 may be used for Integrated Starter/Alternator for Up-Armored High Mobility Multi-Wheeled Vehicles.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, we are going to try to work through this bill. The bill is open to debate. I will be pleased to take up any other amendments Senators might bring before us. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MARTINEZ). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

# RECESS

Mr. STEVENS. Mr. President, I ask unanimous consent the time continue to run but that the Senate stand in temporary recess until 2 p.m.

There being no objection, the Senate, at 12:56 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Mr. ALEXANDER).

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2006—Continued

AMENDMENT NO. 1896

The PRESIDING OFFICER. The time between now and 2:15 is evenly divided on the Dayton amendment.

Who yields time?

Mr. STEVENS. Mr. President, the time is equally divided on this amendment. This amendment would add \$100 million to childcare services and \$20 million for family assistance centers.

I will speak in response to the Senator's explanation of this amendment when he is finished.

The PRESIDING OFFICER. The Senator from Minnesota.

AMENDMENT NO. 1896, AS MODIFIED

Mr. DAYTON. Mr. President, I send a modification of my amendment to the desk, and I ask unanimous consent it be so modified.

Mr. STEVENS. We would like to see the modification before it is accepted.

Mr. DAYTON. The staff is working on slight adjustments to the amendment so it meets the concerns of the chairman. I thank the chairman for his willingness to consider the amendment as part of the managers' amendment as modified. It needs to be further modified to conform to the desire of the chairman to have the language read up to the particular amounts which are \$40 million for the increased antinarcotics efforts of the National Guard, \$50 million for increased funding for childcare, and \$10 million for increased funding for family assistance centers.

If it is agreeable to the chairman, I will spend about 5 minutes discussing the amendment at this time, and I will proceed on that basis and recognize the amendment itself is still subject to further discussions.

Mr. STEVENS. We have no objection to the modification.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 1896), as modified, is as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) CHILD AND FAMILY ASSISTANCE BENEFITS FOR MEMBERS OF THE ARMED FORCES.—

(1) ADDITIONAL AMOUNT FOR OPERATION AND MAINTENANCE, DEFENSE-WIDE.—The amount appropriated by title II under the heading “OPERATION AND MAINTENANCE, DEFENSE-WIDE” is hereby increased by \$60,000,000.

(2) AVAILABILITY OF AMOUNT.—Of the amount appropriated by title II under the heading “OPERATION AND MAINTENANCE, DEFENSE-WIDE”, as increased by paragraph (1), not less than \$60,000,000 shall be made available as follows:

(A) Not less than \$50,000,000 shall be made available for childcare services for families of members of the Armed Forces.

(B) Not less than \$10,000,000 shall be made available for family assistance centers that primarily serve members of the Armed Forces and their families.

(b) NATIONAL GUARD COUNTERDRUG SUPPORT ACTIVITIES.—

(1) ADDITIONAL AMOUNT FOR DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES.—The



amount appropriated by title VI under the heading "DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES" is hereby increased by \$40,000,000.

(2) AVAILABILITY OF AMOUNT.—Of the amount appropriated by title VI under the heading "DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES", as increased by paragraph (1), \$40,000,000 shall be available for the purpose of National Guard counterdrug support activities.

(3) SUPPLEMENT NOT SUPPLANT.—The amount available under paragraph (2) for the purpose specified in that paragraph is in addition to any other amounts available under title VI for that purpose.

Mr. DAYTON. I thank Senator STEVENS for his support and assistance in this matter. I thank him and the ranking member and members of the committee and acknowledge in every one of these three areas the Senate Committee on Appropriations has added funding already above the President's recommendation. I recognize, also, that the committee is dealing with the budget constraints that were imposed upon it by the Senate budget, but conditions in the real world do not always conform to those constraints. This funding is essential to address these critical areas, beginning with an additional \$40 million for the National Guard counterdrug efforts which would enable State coordinators to increase their border security, to increase reconnaissance, and to expand their effort to interdict the flood of illegal drugs into our country.

These National Guard antidrug efforts are under the control of the Governors and Adjutant Generals so they do not violate Federal posse comitatus laws. Yet they are essential to our national security.

Other than international terrorism, there is no greater threat to the safety, the health, and the well-being of our citizens than the increasing flow of illegal drugs into our country, into our neighborhoods, into our schools, and into our homes. They are destroying lives, they are destroying families, and they are destroying communities.

In my home State of Minnesota I am told by local law enforcement leaders there are direct pipelines of illegal drugs now, especially methamphetamine from Mexico, right into the State of Minnesota.

Border security is not just a Southern State crisis or a Northern State problem. Homeland Security is not just a Federal agency with increased priorities.

As I listen to local law enforcement officials throughout Minnesota, they say we are losing the war against these narcotics terrorists. We are losing because our resources are being overwhelmed by their resources. These are battles that are going on not halfway around the world but right here at home, right within our own country, every day and every night.

These are narcotics terrorists. They are drug-dealing gangs. They are dangerous predators. They are preying on Americans, young and old, rich and poor. They are pouring highly dan-

gerous, very addictive, and corrosively expensive drugs into our country and our citizens' lives, and we are letting them get away with it.

In many cases they get away with it entirely scot-free and leave the country with millions and millions of our dollars. These are very dangerous, destructive, evil people who are winning the war on drugs in this country because we—all of us, collectively, all of us Americans collectively—do not have enough good guys out there on our behalf who are fighting them. My amendment brings more money for the good guys to win this terribly destructive battle.

Second, \$50 million would go to increase the childcare services for military families. Again, I commend the committee, Chairman STEVENS, for increasing the President's recommendation in this critical area. My amendment would add another \$50 million because the Office of the Secretary of Defense currently estimates that 38,000 children of Active-Duty military families are not able to access military childcare because of the lack of spaces and facilities. This is especially critical because so many of these family members are being deployed for 12 or 18 months, leaving their spouses as single parents, financially strapped, needing to work and therefore needing quality childcare even more than before.

Finally, my amendment adds \$10 million for family assistance centers and personnel who are responding to the increased needs of military families—Active-Duty, Reserves, and National Guard, whose families are being seriously and severely impacted by the increased number of deployments for extended periods of time.

The stresses of those long separations, the constant anxieties and uncertainties about the well-being of their loved ones abroad, the financial pressures, the difficulties emotionally of single parenting all add up and have put additional needs for these family assistance centers and their personnel for families while their loved ones are serving and after they have returned. And some wounded and seriously maimed are causing enormous family stress and strains for the next number of years.

I thank, again, the chairman, and I thank the ranking member for his willingness to consider taking this amendment into the managers' package. I commend them for their leadership in these very important areas. I hope this amendment will be seen as constructive to that, and I hope the conference committee will see fit to include these increases because I can assure all the Members that it will be very much needed and very well used.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. STEVENS. What is the situation with regard to when we vote on this amendment?

The PRESIDING OFFICER. The vote is scheduled to occur at 2:15.

Mr. STEVENS. I ask unanimous consent that time be changed to 2:30 with no amendments in the second degree in order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is the Senator suggesting the additional time be equally divided?

Mr. STEVENS. Now I address the Senator, the sponsor of the amendment. Senator MIKULSKI wants 15 minutes between now and 2:30. Does Senator DAYTON have any objection to that?

Mr. DAYTON. No, I have no objection.

Mr. STEVENS. I will take a few minutes before that time, and Senator MIKULSKI would have from 2:15 until 2:30.

Ms. MIKULSKI. Yes.

Mr. STEVENS. Mr. President, we have provided \$25 million to respond in this bill for the National Guard counterdrug program. We already have \$20 million for childcare, \$20 million for family counseling, \$18 million for National Guard and assistance centers, for a total of \$58.6 million.

The Senator's amendment adds \$60 million for childcare and \$20 million for family assistance centers but, as he said, we have already gone in excess of the President's request. We have tried to balance the requirement to fight the war on global terrorism and maintenance for our technological advantage against potential rivals and the care of our servicemembers and their families.

We have worked closely with the Department of Defense to identify these requirements. We believe the Senator's amendment is subject to a point of order.

We raise a point of order under section 302(f) of the Congressional Budget Act that the amendment provides for spending in excess of the 302(b) allocations under the fiscal year 2006 concurrent resolution on the budget.

Having raised that, does the Senator wish to waive that point of order?

Mr. DAYTON. I do.

Mr. STEVENS. The Senator moves to waive the point of order. I ask for the yeas and nays on the motion to waive the point of order that I have submitted.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The vote will occur at 2:30 on the motion to waive.

Mr. STEVENS. For the information of Members, we hope we will have another amendment ready to be considered at 3 o'clock. Senator HATCH has asked for 30 minutes beginning at 2:30 to speak on a matter that is not pertinent to this bill, but he has that right to speak under his allocation of time.

I ask unanimous consent Senator HATCH have 30 minutes from 2:30 to 3 o'clock. He has had a terrible disaster in his office. One of his close personal friends on his staff has passed away. He wishes to speak about that person for

30 minutes starting at 2:30. We want to put the vote to 3 o'clock. So I move we move the vote to 3 o'clock so Senator HATCH can speak at 2:30.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I yield the floor to Senator MIKULSKI.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, as I noted under the request made by the chairman of the Senate Defense appropriations, I have time at 2:30. I know it is a minute or two earlier, but I ask for the ability to proceed.

The PRESIDING OFFICER. The Senator may proceed.

#### GAS PRICES

Ms. MIKULSKI. Mr. President, I know we are considering the Defense appropriations bill, and we congratulate the leadership of the subcommittee of which I am a proud member. Senators STEVENS and INOUE have brought an excellent appropriations bill to the Senate.

I rise about another security issue which is the high price of gasoline. I rise today to urge President Bush to convene a White House jawboning session of the American oil and gas companies to urge them to be good corporate citizens and lower the price of gasoline, home heating oil, and natural gas.

I think it is swell the President is agreeing that conservation is an important goal. But it is very little and very late. Yes, we do need conservation. But wearing sweaters just will not be enough. The President needs to call on CEOs of the oil and gas companies to be patriots. It is time for the oil and gas company CEOs to be looking at the ways they can help the American people, not only their profits.

These sky-high prices have created a crisis for American families and businesses—from families that must commute to work, to small businesses that deliver flowers, to truckers that deliver food, and watermen in the Chesapeake Bay who are paying \$4 a gallon to take their boats out. This is going to have a tremendous inflationary pressure on our economy. We in Maryland are feeling it very severely. Maryland has the third highest gas prices in the country, at more than \$3 per gallon. It has been a 30-percent increase in little more than 1 month.

Maryland is not the only State affected. The national price for a gallon of gas is now as high as it has been in 20 years. Some are saying: Well, gas prices are going down. Well, they have been going down a penny or two, but they are still very high.

As people go to the gasoline pump, they feel this great anxiety. People are nervous about getting gas. As for what that means to families, I have seen on our local TV a soccer mom filling up her minivan, and seeing that it cost \$90, she just put her head down on the window crying about what her family was going to do?

That is why I have asked the President today to convene a White House "jawbone" session. There is precedent for this. Forty years ago, Jack Kennedy felt that big steel was really pushing up the prices. Some called it price gouging. He called in the CEOs of the steel industry to the White House. He made the case for the American people. He said the steel industry action was unjustified and irresponsible and not in the public interest. President Kennedy publicly pressed them hard. Guess what happened? Roger Blough and the steel industry decreased their prices.

I am asking President Bush to follow President Kennedy's example and call in these oil and gas CEOs. He has called in the oil and gas CEOs before to help write the energy policy. Well, now we need a new energy policy. We need one based on conservation. We need one based on innovation, to come up with new ideas on alternative fuel supplies. We need a new energy policy to look at what we can do to rebuild the gulf. And we understand oil and gas has suffered some damage there. But we also need them to take a look at the prices they are charging and the consequences to our economy. So we feel if they could write a national policy a few years ago, they can come in and write a new national policy.

So I have sent this letter to the President, signed by many Senators. I would hope the President would think about how we can engage the private sector to come to grips with what is happening here. He should also reach out to get their advice on innovation, to get their advice on boosting our supplies, to get their advice on what to do about having more refining capacity and, at the same time, meet some of our environmental constraints.

We understand we are at a crossroads in this country. Now is the time to bring them together, but bring them together as patriots. I believe they will be able to make profits and be patriots at the same time.

Mr. President, I ask unanimous consent that the letter to the President, dated October 6, 2005, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, October 6, 2005.

President GEORGE W. BUSH,  
The White House,  
Washington, DC.

DEAR MR. PRESIDENT: Sky high gas prices have created a crisis for American families and businesses. As Americans struggle to fill their gas tanks, the oil and gas companies are filling their pockets with historic profits. Bold and decisive Presidential leadership is required. We urge you to convene immediately a summit at the White House of oil and gas company CEOs to call on them to be good corporate citizens by reducing their prices.

The price for a gallon of gas is now the highest it has been in more than twenty years. It jumped 12 cents in just the last week and now averages almost \$3 a gallon,

with many Americans paying as much as \$3.50 for just one gallon of gas. These prices are hurting everyone, from families getting children to school and commuting to work to small businesses like the florist delivering flowers and our larger employers trying to get goods to their stores. Meanwhile, the oil and gas company profits continue to soar, with projected earnings growth for 2005 ranging from 50% to more than 100%.

This all comes at a time when America is facing a crisis caused by Hurricanes Katrina and Rita. In response, we have seen an outpouring of generosity and selflessness throughout the nation. Many families and companies are putting the needs of hurricane victims first and opening their hearts, homes and wallets.

In times of national crisis, corporations have been called upon to act in the national interest. In 1962, as our country faced an economic crisis at home and foreign policy crises abroad from Berlin to Vietnam, the steel industry jacked up prices. President Kennedy called the CEOs of the steel industry to the White House. He forcefully made the case for the American people: he said the steel industry action was "wholly unjustified and an irresponsible defiance of the public interest." President Kennedy publicly pressed them hard—and prices decreased.

We urge you to follow President Kennedy's example. Call in the oil and gas CEOs and tell them to cut their prices. Tell them that profiteering at a time of national need is unacceptable.

We have never before had a President, Vice President or Administration as close to the oil, gas and energy industry as yours is. This was demonstrated when, at the beginning of your administration, you convened a White House energy task force to draft a national energy policy. As we now know, large parts of that policy were drafted by your friends, allies and supporters in the oil, gas and energy industries.

Mr. President, if you can call on the oil, gas and energy industries to write national policy that benefits them, then you can certainly call them to the White House on behalf of the American people at this time of national need. America needs your leadership to prevail upon them to reduce gas prices and other fuel prices now.

Sincerely,

BARBARA A. MIKULSKI.

Ms. MIKULSKI. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, are we in morning business?

The PRESIDING OFFICER. We are not.

Mr. BIDEN. Mr. President, may I proceed for 7 or 8 minutes as in morning business between now and the time Senator HATCH comes at 2:30?

Mr. STEVENS. We have no objection to that. The Senator is entitled to speak on any matter he wishes, using his own time. But we have time set for Senator HATCH to begin at 2:30.

Mr. BIDEN. I thank the Senator.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Delaware is recognized.

PRESIDENT BUSH'S SPEECH TO THE NATIONAL ENDOWMENT FOR DEMOCRACY

Mr. BIDEN. Mr. President, today, in his speech to the National Endowment for Democracy, President Bush gave a vivid and, I believe, compelling description of the threat to America and to

freedom from radical Islamic fundamentalism. He made, in my view, a powerful case for what is at stake for every American.

Simply put, the radical fundamentalists seek to kill our citizens in great numbers, to disrupt our economy, and to reshape the international order. They would take the world backwards, replacing freedom with fear and hope with hatred. If they were to acquire a nuclear weapon, the threat they would pose to America would be literally existential.

The President said it well. The President is right that we cannot and will not retreat. We will defend ourselves and defeat the enemies of freedom and progress. But in order to know where we are going to go from here, we have to understand, in my view, how we got to this point in the fight. Unfortunately, the many fundamental mistakes this administration has made over the past 4 years have dug us into a hole that is making it harder for us to get out.

First, the administration took our eye off the ball in Afghanistan and diverted our attention and resources to Iraq prematurely. As a result, while we made progress in Afghanistan, violence in Afghanistan is now worse than it has been since the war, and the Taliban, al-Qaida, and the warlords are, once again, on the move in Afghanistan.

Meanwhile, we have captured some al-Qaida leaders, but many others have risen to take their place, and the terrorist threat has literally metastasized to many other countries. Around the world, terrorist attacks are on the rise, not decline.

Second, this administration turned unilateral military preemption from the option it has always been into a one-size-fits-all doctrine in the war on terror. We forgot that the power of our example is as important as the example of our power, that our ideas and our ideals are among our greatest assets. We forgot to draw on the totality of America's strength in order to be able to deal with the hearts and minds of 1.2 billion Muslims around the world.

Third, once we decided to focus on Iraq, we went to war too soon. We went without the rest of the world, and we went under false premises.

This administration told us we would be greeted with open arms, that we had enough troops to stabilize the country, that Iraqi oil would pay for the reconstruction. They were wrong on each of these counts and many more.

The result is a terrible irony. Iraq now risks becoming what it was not before the war: a haven for the very radical Islamic fundamentalists who would do us such harm.

But today the President of the United States seemed to recognize some of this self-inflicted damage. That is a good thing, and I applaud him for it. He said: "the terrorists have now set their sights on Iraq"—finally acknowledging that they did not before the war.

He said that in the broader fight against the radical fundamentalists and in Iraq itself, we can't succeed alone, that we need partners—finally acknowledging what many of us on both sides of the aisle have been saying for years.

He implied that while our military might is essential, it is not sufficient—finally acknowledging that we can and must call on the totality of America's strength, including our economic and political might and the power of our example.

He said that the fight for freedom is long term and that democracy can't be imposed by force—finally acknowledging that we can't simply topple tyrants and leave, that we have to work day in and day out to support moderates and modernizers and build the institutions of democracy.

And he said that much more sacrifice will be required—finally acknowledging the difficulty of the challenge and the burden every American must bear.

So the President said some very important things today. But there are also a lot of things he did not say that leaves me, and I suspect many others, feeling frustrated. He told us broadly what we have to do, but he said virtually nothing about how he plans to go about doing it and what the American people can expect.

Consider what he said, and what he did not say, on Iraq.

Yes, we have to train Iraqi forces, as he said. But we still do not know how many of those forces must be capable of operating on their own or with minimal U.S. support before we can begin to reduce our military presence in Iraq. And we do not have any idea when those numbers might be reached.

Yes, we have to support the creation of a strong Iraqi political system that enjoys legitimacy with all the major groups, as the President said. But we still do not know what the plan is to overcome deep Sunni hostility to the constitution and to reconcile the growing sectarian differences that threaten to divide Iraq, not unite it.

Yes, we have to engage the international community to stabilize Iraq, as the President has said. But we still do not know what concrete actions the administration is taking to do just that. We still do not know why it will not organize a contact group of leading nations to show a united international front. We still do not know the plans for getting Iraq's neighbors to act responsibly, as we did in the Balkans and in Afghanistan.

Yes, we have to continue to help the Iraqis rebuild, as the President said. But we still do not know what the administration is going to do to actually deliver more electricity, to clean up the sewage, to get the oil flowing.

My colleagues remember, right after we went in, Mr. Bremer laid out a game plan. He said: By August we will have X number of megawatts and pump Y numbers of barrels of oil; and by De-

cember we will have—and there were goals. If you notice, we have not heard a thing, not a single thing about any of that. We have no idea what the administration's timetables or goals are, other than generically to help them rebuild.

What do we need to do to turn the tide on delivering basic services? And when can we expect them to succeed? Because in each of these areas, Iraqis today, as I speak, are worse off than they were before the war.

The President today was eloquent, and he was determined. But eloquence and determination, although necessary, are not sufficient.

The American people need—and our troops deserve—a clear plan for the way forward in Iraq, which has now become the central front in the war against radical Islamic fundamentalism.

As I have said many times before, the American people need this administration to speak openly and forthrightly about its plan for success in Iraq, for no foreign policy can be sustained—as we are noticing by the numbers—without the informed consent of the American people. They must be informed.

The American people also need—and our troops deserve—not the assertion that we finally have a comprehensive strategy in the fight against the fundamentalists but a detailed explanation of what that strategy is and the steps the administration is taking to build it.

It is precisely because all of us recognize what is at stake for our generation and those who follow that we will continue to speak out and insist that our Government act not only with determination but with effectiveness, not only with conviction but with wisdom.

Finally, though I continue to have differences with the President about how he has gone about prosecuting the war on terror—and I have spoken out as forcefully as I know how—let our enemies make no mistake—make no mistake at all—Americans are united in the struggle for freedom. We stand together in our determination with the President to fight the forces of tyranny and terrorism. In this right, America will prevail.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I say to the Senator from Delaware, if he wishes to speak further, we will be happy to extend him more time, if he wishes.

Mr. BIDEN. No, I am fine. I thank the Senator.

AMENDMENT NO. 1896, AS FURTHER MODIFIED

Mr. STEVENS. Mr. President, I send to the desk a modification to Senator DAYTON's amendment.

The PRESIDING OFFICER. Is there objection to the modification?

Without objection, it is so ordered.

The amendment, as further modified, is as follows:

At the appropriate place, insert the following:

(1) AVAILABILITY OF AMOUNT.—Of the amount appropriated by title II under the heading "OPERATION AND MAINTENANCE, DEFENSE-WIDE", up to \$60,000,000 may be made available as follows:

(A) Up to \$50,000,000 may be made available for childcare services for families of members of the Armed Forces.

(B) Up to \$10,000,000 may be made available for family assistance centers that primarily serve members of the Armed Forces and their families.

(b) NATIONAL GUARD COUNTERDRUG SUPPORT ACTIVITIES.—

(1) AVAILABILITY OF AMOUNT.—Of the amount appropriated by title VI under the heading "DRUG INTERDICTION AND COUNTERDRUG ACTIVITIES", up to \$40,000,000 may be available for the purpose of National Guard counterdrug support activities.

(2) SUPPLEMENT NOT SUPPLANT.—The amount available under paragraph (2) for the purpose specified in that paragraph is in addition to any other amounts available under title VI for that purpose.

Mr. STEVENS. Mr. President, I ask unanimous consent that the modified amendment be considered and that it be adopted.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 1896), as further modified, was agreed to.

Mr. STEVENS. I move to reconsider the vote and to lay the motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. That cancels the vote for 2:30, correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. STEVENS. The bill is still subject to amendment. No other Senator has asked us to consider an amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SUNUNU). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### IRAQ

Mr. DURBIN. Mr. President, the much awaited speech by President Bush this morning about the challenges we face in Iraq and Afghanistan was promised to be a new perspective. It was promised to offer the possibility that at least we would be considering a new approach.

I was disappointed. The President has offered the American people a false choice between resolve and retreat. The real choice should be between a strategy of accountability and the vague generalities which we continue to hear from this administration. We have to move beyond the policies of fear to a plan of forceful commitment to protecting America and our values.

The most telling line in President Bush's speech this morning about the threat of terrorism was this:

There is no alternative.

Once again, the President tells us there is no alternative but to stay the course in Iraq. But he fails to answer the most basic questions that more and more Americans are asking every single day: How do we know that progress is being made? How do we measure success? How much longer will America, with its best and bravest men and women in uniform, be facing this insurgency, killing, and the terrible conditions which we find in Iraq? Most importantly, what is President Bush's plan to ensure that our troop commitment in Iraq does not compromise our safety here at home? The White House promised us new details in this speech. We did not receive them, just old generalities.

All Americans are committed to our troops, make no mistake about that. When we take a look at the appropriations bills that come before this Congress to provide the resources for the troops in Iraq, one could not pick out which Senators voted for or against Iraq in terms of the invasion. All Senators—Democrats and Republicans—regardless of their feeling about the wisdom of this strategy are committed to our troops and committed to the resources they need to come home safely. That is not the question. The question is, What is President Bush's plan to achieve the goals that he states over and over? He failed to answer that question today.

Once again, we are presented with false connections between why we are in Iraq and why we were attacked on September 11. The implication is distorting. It is false. The 9/11 Commission put that allegation to rest. They found no operational relationship between Iraq and what happened in America on September 11, 2001.

But now, 2½ years into Iraq, the war has not made us safer from terrorism. It has altered the strategic environment to our disadvantage. Today we have fewer allies in Iraq than we did when this war began. We have less credibility.

The search for Osama bin Laden has been diverted. The President quoted Osama bin Laden today. I think it is time to capture Osama bin Laden, as we have been promised so many times would happen.

We have fewer options dealing with Iran and North Korea, and the administration knows it. Our army is strong and brave and resilient, but it is being pushed to the limit. Our National Guard and Reserves and their families are loyal and courageous Americans. They have carried an extraordinary burden in this war in Iraq, and there is no end in sight.

The President gave a rousing speech, but we learned nothing about how we will either win the war in Iraq or the war on terror. The choice in Iraq is not to stay the course or withdraw tomorrow. That is a false choice. We don't want or need to retreat and allow that part of the world to descend into chaos politically. We need to implement a

strategy that gives the Iraqis a chance to build a government that stands on its own. That is the only government that can succeed in Iraq.

This morning, the Department of Defense reported that we have 148,810 soldiers in Iraq; 1,945 Americans have died since our invasion; 14,902 have been wounded. How many innocent civilian Iraqis have been killed? It is anyone's estimate at this point, but some say between 20,000 and 40,000 Iraqis have lost their lives since the invasion.

We owe it to our men and women in uniform, we owe it to those who believe in America to let them know what our path for success will be. And we certainly owe it to America's taxpayers who are spending \$1.5 billion a week in Iraq to let them know what our strategy will be.

Last week in Washington, a piece of information came out that had been protected and classified for a long period of time. I had heard about it, but we were not allowed to speak about it. Then Generals Casey and Abizaid came to testify in an open and public hearing and conceded the fact that out of over 100 battalions of the Iraqi Army in that country, only 1 out of the 100 were battle ready; 1 out of 100 prepared for battle to stand and fight on their own. That is a shocking disclosure—the billions of dollars we have put into Iraq, the amount we have invested in the premise that once the Iraqi Army was up and ready to fight, we could come home, and then to learn after all of this time that only one battalion stands ready to fight.

This week, we addressed a letter to the President—some 40 Democratic Senators joined together—and asked the President critical questions which we think need to be answered, questions which were not answered today. Here are the questions:

How many Iraqi forces must be capable of operating without U.S. assistance or with minimal U.S. support before we can begin reducing our military presence? When will that number be reached? When can we start bringing American soldiers home?

The next question: What specific measures does the administration plan to take before and after this critical October 15 constitutional referendum to forge the necessary political consensus and reconcile the growing differences, sectarian and religious, in the nation of Iraq? If such consensus is not reached, what policy changes will be required?

Just 2 weeks ago, the President of Iraq came to visit us in the Capitol. He is a man of Kurdish ethnic origin. It was interesting because his entire delegation he brought with him was Kurds. His closest aide and his security detail were all Kurdish. The interesting thing about that is, we are talking about an Iraq where all factions are coming together, and yet it appears their leaders are traveling in these little enclaves that represent their sect, their ethnic background. There is not an indication

that Iraq is viewing the prospect of nationhood in the way these top officials are conducting their public lives. How are we dealing with that?

Another question the President and the administration must face: What efforts have they made or will they make to obtain broader international support, including engaging Iraq's neighbors and other nations, particularly Muslim nations, in an effort to stabilize Iraq?

There is no question that many in Iraq resent our presence. They view us as an occupying force. When the generals brief us, they tell us bluntly: We cannot defeat the insurgency. It will take political and economic forces. We cannot do this militarily. And yet our force is there. Our sons and daughters, those in uniform whom we love, are there with their lives at risk every single day.

What is this administration doing to change the face of that force that stabilizes Iraq until they can control their own fate and their own future? What are they doing, if anything, to bring in troops from Muslim nations so that we no longer face the criticism that we are somehow invading this Muslim country? It is an important question to be answered.

How should the American people, we ask the President, assess the progress in reconstituting Iraq, in reconstructing it? What are the tangible results of the billions of dollars America has provided for Iraq's reconstruction? Does the administration have a plan to ensure that those who misuse taxpayers' funds will be held accountable? How much more will taxpayers be asked to contribute to Iraq's reconstruction? What steps is the administration taking to ensure that future investment will not be misused?

We continue to hear that when it comes to the basics of life, there is less electricity today for the families and people of Iraq than there was before the invasion. We know they are struggling with the basics of life—water, sewage, safety in the streets, safety for children to go to school.

What we are saying at this point is this administration—every administration—must be held accountable for its policies. We must be able to measure whether progress is being made and whether staying the course will result in the kind of success the President is looking for.

None of these questions were answered today. We have no clearer picture of where we go from here than we did yesterday. At this point, the President has a special responsibility to the American people—not to convince us of the danger of global terrorism; we are convinced. We lived through 9/11. We know that these people who are engaged in that terrorism are looking for an opportunity to strike again. But the President has a responsibility to explain to the American people why Iraq, which was not the testing grounds for terrorism before our invasion, has be-

come that, why it has become a magnet for these terrorists to come from all over the Middle East and around the world to detonate car bombs and to attack our troops, and what we are doing to bring it to an end.

Those are the questions the American people still face. I know why the President held this press conference. He knows as well as I do, when you speak to people across this country, they have serious misgivings, not about the bravery of our troops, not about the need to make America strong, but that this strategy this administration is pursuing will bring us to a conclusion where America and its values are truly protected.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COLEMAN). The clerk will call the roll. The bill clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, because we are at this point postcloture, I want to speak on a subject unrelated to the bill. I ask unanimous consent to do that.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE PRICE OF ENERGY

Mr. DORGAN. Mr. President, I want to speak about the price of oil and gasoline. I know there are a lot of discussions around this country about many issues of public interest. The American people are concerned and interested about a lot of challenges we face. We have the biggest budget deficit in the history of this country. I know people say it is getting better. The fact is, it is not. They show a little smaller budget deficit by using the Social Security surpluses to make it look smaller. We also have the largest trade deficit in the history of the country. The trade deficit and the budget deficit combined are over \$1 trillion this year. We have challenges there.

We have challenges in Iraq dealing with foreign policy. We have our men and women wearing America's uniform in harm's way. Our hearts go out to them and our prayers are with them.

We have a lot of issues. The gulf coast was hit by a devastating natural disaster, by Hurricane Katrina followed by Hurricane Rita. Hundreds of thousands of Americans have lost their homes. Many of them have lost everything, living still today in shelters with a bleak prospect ahead. And our country is coming together to try to say to them, You are not alone. We face some challenges.

Let me speak about one other challenge; that is, the challenge of the people who drive up to the gas pump this afternoon and buy 15, 16, or 18 gallons of gas, put it in their tanks, and discover it costs over \$50. There are a whole lot of families in this country

who cannot afford that. While people drive to the gas pump and put in 15 or 18 gallons and have a \$50 bill to pay, the major integrated oil companies in the country have reaped the highest profits in their history. These major integrated oil companies are bigger, stronger, more powerful and muscular than they have ever been.

Thanks to megamergers that have occurred in recent years, all these oil companies fell in love with each other, started dating, got hitched, and now, instead of two companies, it is one company. It is ExxonMobil. It used to be Exxon and Mobil, but it is now ExxonMobil. The list goes on. So we have bigger, stronger, and more powerful companies that have more impact in the marketplace, and they are more profitable than ever in their history.

Let me use a few statistics.

In January of last year, the average price of oil was \$34.5 a barrel in this country. At that rate, the major integrated oil companies made the largest profits in their history—Exxon earned \$25 billion. What did they do with it? Nearly \$10 billion went to buy back their stock another story I will talk about in a moment. At \$34.5 a barrel, the integrated oil companies had the highest profits in their history. Add \$30 a barrel to that. Then ask yourself, What are the profits going to be this year? You have the answer. Profits are windfall, excess profits far above anything justified.

We use 21 million barrels of oil a day in this country. The world uses 84 million barrels of oil every single day. We use a fourth of it. Think about that. We use a fourth of the oil pumped out of the ground every day in this country. Sixty percent of it we buy from other countries, and 40 percent we produce in this country.

People say—well, those who support the oil industry; there are plenty of them here—it is fine for them to be making \$60 or \$65 or \$70 a barrel. That gives them a chance to invest in more production and refineries. Let me show you what was printed in Business Week in June of last year entitled "Why Isn't Big Oil Drilling More?"

Rather than developing new fields, oil giants have preferred to buy rivals—"drilling for oil on Wall Street."

There ain't no oil on Wall Street. Wall Street is about big finance, high finance, buying and selling. There is no oil.

"Why Isn't Big Oil Drilling More?"

Oil has been over \$20 a barrel almost continuously since mid-1999. That should have been ample incentive for companies to open new fields, since new projects are designed to be profitable with prices as low as the mid-teens. Nevertheless, drilling has lagged.

This is Business Week. This isn't some liberal rag. This is Business Week, a conservative business journal.

Far from raising money to pursue opportunities, oil companies are paying down debt, buying back shares, and hoarding cash.

While the American people pull up to the gas pumps to pay \$50 for gas, where

it is going? Is it going into the ground to look for more oil or build refineries? No, it is not. The pain of the person at the gas pump is the gain of the treasury of the major integrated oil companies. It is a fat treasury on the one hand and enormous pain on the other.

Katrina and Rita hit this country, and we have people here who say that is what is causing this angst about the price of gasoline and oil. Not true. The fact is, oil was in the mid-60s a barrel before Hurricane Katrina was bearing down on the gulf coast. The price of oil was well above \$60 a barrel. This isn't about the hurricane.

Others of my colleagues say this is a free market in oil.

I was on one television program—I think a CNBC segment—and the moderator, a real thoughtful gentleman he was, said: You are a socialist because you want to take the windfall profits that exist and tax them and use that money to give a rebate to consumers. This is socialism, he said. I was tempted to say: Grow up. But he was a television commentator, so I didn't do that. But the point is, there is no free market in oil. There is no free market. Some OPEC oil officials that sit around the table and make decisions about supply and price to some extent can influence it.

Then what you have are the now giant integrated oil companies that have been made larger by blockbuster mergers in recent years. In addition to that, you have the futures market which is supposed to provide liquidity for trading which has become an unbelievable bazaar of speculation. So those are the elements that tell me there is no free market here.

You have a market in which the price of a gallon of gasoline is delivered. In fact, nobody ever sees it. It shows up at the gasoline pumps, you pump it into the tank of your car, and the money goes from your wallet. There are a lot of hard-working families in this country and low-income people who can't afford it—from their wallet into the treasury of the major integrated oil companies.

Then the question is, Why isn't big oil drilling more? I made a proposition. I introduced a piece of legislation, along with my colleague, Senator DODD, and others, to say anything above \$40 a barrel—incidentally, \$40 a barrel is the price at which the oil companies had the largest profits in their history by far—if you are not using it to drill for more oil or build more refineries, you get hit with a 50-percent excise tax on those windfall profits, and all of that money is used to give rebates to consumers. It is not money for the Federal Treasury. It takes the money back from the oil companies that are soaking people at the gas pump and returns it to consumers. There is a huge cry about that—interfering with the market, we are told.

Let me refer to this article from the New York Times. This is February of

this year. This goes back 8 months or so.

... the worlds 10 biggest oil companies earned more than \$100 billion in 2004, a windfall greater than the economic output of Malaysia. . . . Their sales are expected to exceed \$1 trillion for 2004, which is more than Canada's gross domestic product.

Exxon Mobil, the world's largest publicly traded oil company, earned more than \$25 billion last year and spent \$9.95 billion to buy back its own stock; Royal Dutch/Shell Group . . . pledged to hand out at least \$10 billion as dividends to shareholders this year.

Last year, the largest integrated oil companies spent 24 percent of their cash on dividends, 12 percent on share buy-backs, and 12 percent on paying debt . . . As a share of exploration and production expenses, spending on exploration has declined over the last decade, and now accounts for 20 percent of the total.

There was an interesting piece in a newspaper just days ago. Most people know what AAA is, the American Automobile Association—headline:

Finger-pointing Begins After Gas Prices Jump 24 Cents in 24 Hours; Exxon Dealers—

These are the gas station dealers—

—Say They Are Chafing Under Higher Prices Decried From Atop.

A growing chorus of Exxon dealers in the Washington metro area are raising their voices and accusing the world's largest oil company, Exxon Mobil, of profiting from the exorbitant prices at the pump in the wake of Hurricane Katrina . . . In candid conversations with AAA Mid-Atlantic, a handful of local dealers accused the oil giant of raising their wholesale price to service stations by 24 cents in a 24-hour period.

The disgruntled dealers say the steep price increases put them on the horns of a dilemma . . . By raising their prices, they risk losing their loyal customer base, which has taken them years to build. By raising their voices against Exxon Mobil's practices, they risk losing their contracts.

Question: What is happening here? What is going on? It is really an interesting dilemma. The inclination, I suspect, of most people here in the Congress is to do nothing. Go to "parade rest" is the most comfortable position for politicians. It has always been and perhaps always will be. But we not only see prices at the gas pumps coming from the price of a barrel of oil, now \$30 above last year's prices and record profits, we are now heading into a winter season where folks from my home State, the State of North Dakota, folks from the home State of the Presiding Officer, the State of Minnesota, and others will be paying 70 percent more for natural gas.

We had a vote yesterday on the low-income home heating assistance program. We lost that vote. We will come back and have it again. We will eventually have that vote. We don't have a choice. Low-income folks have to heat their homes, and heating a home in winter is not a luxury.

But this is not just about them. What about the other folks, the folks who are in the middle-income ranges who are still trying to figure out how to make ends meet? How do we buy school clothes for our kids and pay for gas for

our car and pay our mortgage, buy the groceries each week, and do all the things we need to do for our family, and then pay a 70-percent increase in the cost of heating our homes for winter? What about those people? Does anybody here care, or are we just content to thumb our suspenders and light our cigar under the glare of klieg lights? God bless the free market. Let it all go. What utter, sheer nonsense.

There is no free market in oil. I know people with suits that cost a whole lot more than mine are going to be cranky about this statement. There is no free market. They will say: Of course there is a free spot market. There are people trading right now as you speak, Senator DORGAN. There are people trading back and forth, and of course there is a market.

Totally absurd. There are the OPEC ministers, there are the larger and more powerful through blockbuster mergers integrated oil companies, and then there is rampant speculation in the futures market. They are combined to make a pretty interesting dance, but there is no free market.

There is substantial pain in this country at the price of gasoline, substantial pain that will occur this winter with a 70-percent increase in natural gas prices, a 40-percent increase in home heating fuel prices, and people are going to ask the question, Why is this happening? Who is on my side? Why do we have a circumstance where the biggest in this country, the largest economic enterprises, make record profits and smile all the way to the bank while all the rest of the folks are bearing the pain?

I have often spoken about the Texas Playboys, a band from the 1930s that had the refrain in their song, "Little bees suck the blossom, but the big bee gets the honey. The little guy picks the cotton, and the big guy gets the money." If ever those lyrics meant something, it means something now in this circumstance with respect to the pain and the gain in this energy policy.

So I introduced a piece of legislation. It is very simple. It says that at oil prices above \$40 a barrel, if the windfall profits accrued from those prices are not being used to explore for more oil and natural gas and if they are not being used to build refineries and add capacity, then they shall be taxed at 50 percent, and all of the proceeds will be used to provide rebates to American consumers. It is a form of revenue sharing from the oil companies that are experiencing windfall profits to the folks who are pulling up to the gas pumps and the folks who are going to try to pay a heating bill that is exorbitant.

I don't have any idea whether this Senate will act on this legislation. It is more likely the Senate will do what it usually does in areas of controversy: it will stand with those who have the most economic clout. The question of whose side are you on, regrettably, at least in recent years, the Senate has



demonstrated that it is not on your side. It is not on the side of the little guy, that is for sure. We can pretend and act as if we have our hands over our eyes for some months and say it just didn't work out that we could do anything, really. So the market system works. If it costs \$50 to fill your tank, that is the way the market is. God bless you. See you tomorrow. Good luck, by the way.

Or when you find the 70-percent increase in your home heating fuel and it is 30 below zero and the wind is blowing 40 miles per hour—and yes, it does in some parts of our country—and you are cranking up the furnace to make sure there is enough heat in the house for you, the family, and the kids, so you can go to bed and not freeze, and those who say this is just the free market, good for you, God bless you, keep that furnace high, but you have to make it a priority to pay the heating bill. It is not our fault the heating bill is so high. Congress decided not to do anything.

By the way, now it is December and the Congress is not in session anymore, and it is, you know, good luck to you. God bless you. Go back and forth to the post office and visit a little bit about how high the prices are, but nobody is going to help you much.

I don't believe we are a country that can do without oil. We produce oil in my State. I support the oil industry in many areas. I believe we ought to produce more in this country. I believe we are dangerously addicted to foreign oil. It is unusual, to say the least, that one-fourth of the world's oil is consumed in this country every day. We share this globe with 6.5 billion people, and in this country alone we have a claim on one-fourth of all the oil that is consumed.

It is a peculiar thing that somehow given how this planet is put together, there is this little area halfway around the world covered with sand where most of the oil deposits exist, and the largest deposits are in countries called Saudi Arabia, Iran, and Iraq. That is a curious and strange thing and one that is also dangerous for us.

We have become so dependent on that supply of oil—and now I am not talking about the price and windfall profits of domestic companies; I am talking about the dangerous addiction we have to foreign oil. If we do not as a country decide we will try to find a way to break this addiction—I am not suggesting we will not always dig and drill—but if our energy policy is just digging and drilling, that is a “yesterday forever” policy and it is one that is destined for failure.

We have to become independent in terms of our energy needs, particularly of those troubled countries in the Middle East. I find it fascinating we have such a relationship with the Saudis. The Saudis have the largest reserves of oil in the world. Under their sands exist the world's largest oil reserves. Because of that, even our foreign policy is altered.

I have spoken in the Senate many times about the 28 redacted pages in the 2002 December report about the September 11 terrorist attack in this country. Fifteen of the 19 terrorists were Saudi citizens. The combined Intelligence Committees of the House and the Senate did this first investigation of September 11. They sent it to the White House. The White House published the book, but 28 pages were redacted. What were they? Twenty-eight pages, according to published reports and according to my colleague Senator GRAHAM, in his book, had to do with the Saudis. Why? Because all that we do with the Saudis, all we do with them in foreign policy, even with respect to this issue of terrorist attacks, has to do with our incredible dependence on Saudi oil and on Middle East oil.

This is dangerous for our country. We have to remove ourselves from that, remove that addiction. How do we do that? There is a wide range of things. We passed energy legislation in this Congress. It is not great, but it is not bad. I voted for it. It moves us in the right direction. That is the immediate term. In the short term, we are confronted with this unusual price for a barrel of oil which converts to an unusual price for a gallon of gasoline. Every American driving up to the gas pump today understands the shock value of having to pay these prices. Every American trying to heat their home this winter will understand the same shock value.

They will and should ask the question, Is anybody doing anything about this, or is this an appropriate form of a new market system we do not understand? The answer is, the Congress should do something about it. Again, let me say there are all kinds of reasons and excuses and especially distortions that are moved around on these subjects. Let me give an example of one.

We have people who say, look, the reason we did not have more oil flowing, which would relate to supply and demand, with the supply-demand curve, if you have more supply going in against a fixed demand or an increasing demand, a greater supply means lower price. The reason we do not have that is because of the eggheaded environmentalists, they would claim. They have prevented oil companies from building refineries, so shame on them, that is the problem today. We do not have enough refineries.

We hear that in the Senate and the House and all political debate, over and over. It is a branding technique, the notion if you say it often enough, people will start believing it: 150 refineries have been closed in the past 25 years and no new refineries have been sited in the same period.

The fact is most of the evidence points to the oil companies themselves as making the decisions about closing refineries. They have decided to shut down existing refineries and decrease

output as a business matter. They do that following big mergers and also restructuring. The big integrated oil companies control a majority of the Nation's refined oil and gas products. In many cases, they control this process from the point of pulling oil from the ground to pumping it into your gas tank.

The fact is, there is an interesting amount of evidence about this issue of refineries. We had an Energy Committee hearing about this. We had three experts who knew about all this. Why are there not more refineries being built? Because the margins are not higher, is why. That is from the experts. It has nothing to do with environmentalists. The margins are not higher. So when oil companies restructure and merge, they close refineries because they want to. The fact is there is a wealth of information about this refinery issue that suggests this is not about environmentalists; it is about the oil companies deciding in their own interests how much refining capacity they want and what kind of margins they want from refining.

My point is very simple. We have a serious problem in this country with an energy crisis. It is not getting better. We have a dislocation, terrible pain, for a lot of working folks, a lot of low-income people, not just to drive their cars but also to heat their homes as we approach this winter. And they will ask the question, and should, is anyone going to care about this? Will somebody do something about it? Will someone be on our side and stand for us?

We will have some people say this is the free market and if you do not like it, tough luck, we do not intend to intervene in a free market.

Then there are others, such as me, who say that is nonsense, this is not a free market, this is not fair competition. A free market economy is about competition. Easy entry, easy exit, competition around price. There is no free market here. We have OPEC, oil companies, and rampant speculation. They have created a distortion of so-called market prices.

The American people deserve a Senate that will stand in at times when oil prices reach \$60 and \$70 a barrel and we have profits that represent the biggest profits in the history of corporate America. The American people deserve a Senate that will stand up and say, We are on your side and we will do something about it when the market system does not work.

America can do better. The fact is we can do better on energy policy. We can do better on policy I just described. We owe it to people to intervene in circumstances where we must intervene. The Senate should make it a priority to consider this kind of legislation.

We have meandered our way through this year. There has been no discernible pattern, no discernible journey that makes much sense to me. But in this Congress we have wandered

around, place to place. We did not pass our appropriations bills, intervened in a whole range of issues, including the Terri Schiavo case. I could go on and on and on. We intervened in all the other issues.

The key things most people are concerned about in their daily lives, that they talk about at the supper table when they sit around and have something to eat together—this is one of those key issues. What is the price of energy? Can we afford it? If not, what do we do?

The proposal I have offered with some of my colleagues for a windfall profits recapture would not injure any major integrated oil company under any set of circumstances because they would not have to pay it. They would choose not to pay it if, in fact, they are using their windfall profit to explore for more oil and build more refineries; and if not, they would choose to repay part of that profit in a form of rebate back to their consumers.

My hope remains in these coming days as the Congress lurches toward the end of this year, that Congress and the Senate, particularly, will find time to do what is the bull's eye, the agenda the American people want, to deal with things that affect them every day in a very significant way.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### REPEAL LAW

Mr. DORGAN. Last Friday I was in the Senate briefly and indicated we were introducing legislation that repeals the law that was passed in the emergency response to Hurricane Katrina that took the limitation on the credit cards carried by Federal employees from \$2,500 to \$250,000. That is right, the bill that responded with emergency funding for Katrina also included a provision that increased the limit on Federal credit cards that are carried by some 300,000 Federal workers, increased the top limit from \$2,500 per purchase for \$250,000 per purchase.

When I discovered that, I thought, that is not right, that cannot be believable. It, in fact, was. I discovered the White House had requested that increase in the limit on Federal credit cards be provided.

In fact, the person who came down to brief the Congress on that was Mr. Safavian, top procurement officer at the Office of Management and Budget, who was arrested 2 weeks later by the FBI and now has been indicted. But all this happened some weeks ago. The credit card limit went from \$2,500 to \$250,000 on the credit card that is carried by a Federal worker, and there are 390,000 or so around.

I introduced with my colleague Senator WYDEN a bill that would restore it back to the \$2,500 limit. My point was, this is nuts. It is goofy to put a \$250,000 limit on a credit card. It is unbelievable. I pointed out the Inspector General's reports and also the GAO reports about abuse of credit cards by some Federal employees.

One Federal employee put breast enlargements for his girlfriend on a Federal credit card. Buying liquor, trips, guns, unbelievable expenditures in the abuse found by the GAO, and we will increase the top limit on the credit cards to \$250,000?

I introduced that legislation and I am pleased to say on Monday of this week the Office of Management and Budget and the White House announced they support the legislation to take this back to \$2,500. So it is actually \$2,500 plus an emergency \$15,000 post September 11, that happened after September 11, which is what we would take this back to. The White House has said they want to rescind the \$250,000 and take it back to \$2,500.

That is the legislation I have introduced with my colleague Senator WYDEN. My hope is at the first opportunity, given the support of the White House, that I can offer this as an amendment, perhaps not to this bill, because I think we are limited in amendments and we are probably on auto pilot with respect to the amendments. The very next piece of legislation, it would be my intention to offer that.

As I said, that will have the support of the White House. Without it, of course, the law still exists. It was put in law at the request of the White House to take the top limit from \$2,500 to \$250,000. I want to take it back. The White House says they want it back. So let's decide here in the Senate to put it on a bill and get it to conference and get this sort of thing done.

Let me also say to OMB and the White House, I appreciate their candor and their willingness to do the right thing. Everyone understood what was requested was a mistake. It should not have been requested. The decision now is to change the law and to make it where it ought to be, a \$2,500 limit on the credit cards.

Yes, we have to respond in a significant way to Hurricane Katrina. Sometimes that might encourage somebody or require somebody in certain circumstances to have a larger purchase, but there are plenty of ways to accommodate that without risking the waste, fraud, and abuse that will go with having credit cards with \$250,000 limits.

Our legislation is pending. I make the point I appreciate the administration deciding to do a U-turn on this policy. We will offer this legislation in the Senate as soon as we are eligible to offer it on perhaps the next piece of legislation brought to the floor.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHAFEE). Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senator from South Dakota be entitled to introduce a bill and have time as though in morning business, with the clock on cloture continuing to run.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. THUNE pertaining to the introduction of S. 1840 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. THUNE. Mr. President, I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, the hour is now almost 4:30 p.m. We have waited and waited and waited for Senators to bring their amendments. No further amendments have been noticed to either side.

#### AMENDMENTS NOS. 1981, 2053, 2054, 2055, EN BLOC

Mr. STEVENS. Mr. President, I have a managers' package which I send to the desk for Senator CHAMBLISS, amendment No. 1981, literacy on military installations; an amendment for myself on advisers for the Joint Chiefs of Staff; an amendment for Senator FRIST on certain youth organizations; and an amendment for Senator BYRD regarding Hurricane Katrina relief.

I ask these items be considered en bloc.

The PRESIDING OFFICER. Without objection, the Senate will consider the amendments en bloc.

Mr. STEVENS. Mr. President, I ask that the Senate consider the amendments and adopt them en bloc.

The PRESIDING OFFICER. Without objection, the amendments are agreed to, en bloc.

The amendment (No. 1981) was agreed to.

(The amendment is printed in the RECORD of Monday, October 3, 2005, under "Text of Amendments.")

The amendments were agreed to, en bloc, as follows:

#### AMENDMENT NO. 2053

(Purpose: To increase the rate of basic pay for the enlisted member serving as the Senior Enlisted Advisor for the Chairman of the Joint Chiefs of Staff)

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . INCREASE IN RATE OF BASIC PAY OF THE ENLISTED MEMBER SERVING AS THE SENIOR ENLISTED ADVISOR FOR THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF.**

(a) INCREASE.—Footnote 2 to the table on Enlisted Members in section 601(b) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 37 U.S.C. 1009 note) is amended by striking “or Master Chief Petty Officer of the Coast Guard” and inserting “Master Chief Petty Officer of the Coast Guard, or Senior Enlisted Advisor for the Chairman of the Joint Chiefs of Staff”.

(b) PERSONAL MONEY ALLOWANCE.—

(1) ENTITLEMENT.—Section 414(c) of title 37, United States Code, is amended by striking “or the Master Chief Petty Officer of the Coast Guard” and inserting “the Master Chief Petty Officer of the Coast Guard, or the Senior Enlisted Advisor for the Chairman of the Joint Chiefs of Staff”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on April 1, 2005.

**AMENDMENT NO. 2054**

(Purpose: To support certain youth organizations, including the Boy Scouts of America and Girl Scouts of America, and for other purposes)

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . SUPPORT FOR YOUTH ORGANIZATIONS.**

(a) SHORT TITLE.—This Act may be cited as the “Support Our Scouts Act of 2005”.

(b) SUPPORT FOR YOUTH ORGANIZATIONS.—

(1) DEFINITIONS.—In this subsection—

(A) the term “Federal agency” means each department, agency, instrumentality, or other entity of the United States Government; and

(B) the term “youth organization”—

(i) means any organization that is designated by the President as an organization that is primarily intended to—

(I) serve individuals under the age of 21 years;

(II) provide training in citizenship, leadership, physical fitness, service to community, and teamwork; and

(III) promote the development of character and ethical and moral values; and

(ii) shall include—

(I) the Boy Scouts of America;

(II) the Girl Scouts of the United States of America;

(III) the Boys Clubs of America;

(IV) the Girls Clubs of America;

(V) the Young Men’s Christian Association;

(VI) the Young Women’s Christian Association;

(VII) the Civil Air Patrol;

(VIII) the United States Olympic Committee;

(IX) the Special Olympics;

(X) Campfire USA;

(XI) the Young Marines;

(XII) the Naval Sea Cadets Corps;

(XIII) 4-H Clubs;

(XIV) the Police Athletic League;

(XV) Big Brothers—Big Sisters of America; and

(XVI) National Guard Youth Challenge.

(2) IN GENERAL.—

(A) SUPPORT FOR YOUTH ORGANIZATIONS.—

(i) SUPPORT.—No Federal law (including any rule, regulation, directive, instruction, or order) shall be construed to limit any Federal agency from providing any form of support for a youth organization (including the Boy Scouts of America or any group officially affiliated with the Boy Scouts of America) that would result in that Federal agency providing less support to that youth organization (or any similar organization chartered under the chapter of title 36, United States Code, relating to that youth

organization) than was provided during the preceding fiscal year. This clause shall be subject to the availability of appropriations.

(ii) YOUTH ORGANIZATIONS THAT CEASE TO EXIST.—Clause (i) shall not apply to any youth organization that ceases to exist.

(iii) WAIVERS.—The head of a Federal agency may waive the application of clause (i) to any youth organization with respect to each conviction or investigation described under subclause (I) or (II) for a period of not more than 2 fiscal years if—

(I) any senior officer (including any member of the board of directors) of the youth organization is convicted of a criminal offense relating to the official duties of that officer or the youth organization is convicted of a criminal offense; or

(II) the youth organization is the subject of a criminal investigation relating to fraudulent use or waste of Federal funds.

(B) TYPES OF SUPPORT.—Support described under this paragraph shall include—

(i) holding meetings, camping events, or other activities on Federal property;

(ii) hosting any official event of such organization;

(iii) loaning equipment; and

(iv) providing personnel services and logistical support.

(c) SUPPORT FOR SCOUT JAMBOREES.—

(1) FINDINGS.—Congress makes the following findings:

(A) Section 8 of article I of the Constitution of the United States commits exclusively to Congress the powers to raise and support armies, provide and maintain a Navy, and make rules for the government and regulation of the land and naval forces.

(B) Under those powers conferred by section 8 of article I of the Constitution of the United States to provide, support, and maintain the Armed Forces, it lies within the discretion of Congress to provide opportunities to train the Armed Forces.

(C) The primary purpose of the Armed Forces is to defend our national security and prepare for combat should the need arise.

(D) One of the most critical elements in defending the Nation and preparing for combat is training in conditions that simulate the preparation, logistics, and leadership required for defense and combat.

(E) Support for youth organization events simulates the preparation, logistics, and leadership required for defending our national security and preparing for combat.

(F) For example, Boy Scouts of America’s National Scout Jamboree is a unique training event for the Armed Forces, as it requires the construction, maintenance, and disassembly of a “tent city” capable of supporting tens of thousands of people for a week or longer. Camporees at the United States Military Academy for Girl Scouts and Boy Scouts provide similar training opportunities on a smaller scale.

(2) SUPPORT.—Section 2554 of title 10, United States Code, is amended by adding at the end the following:

“(i)(1) The Secretary of Defense shall provide at least the same level of support under this section for a national or world Boy Scout Jamboree as was provided under this section for the preceding national or world Boy Scout Jamboree.

“(2) The Secretary of Defense may waive paragraph (1), if the Secretary—

“(A) determines that providing the support subject to paragraph (1) would be detrimental to the national security of the United States; and

“(B) reports such a determination to the Congress in a timely manner, and before such support is not provided.”.

(d) EQUAL ACCESS FOR YOUTH ORGANIZATIONS.—Section 109 of the Housing and Com-

munity Development Act of 1974 (42 U.S.C. 5309) is amended—

(1) in the first sentence of subsection (b) by inserting “or (e)” after “subsection (a)”; and

(2) by adding at the end the following:

“(e) EQUAL ACCESS.—

“(1) DEFINITION.—In this subsection, the term ‘youth organization’ means any organization described under part B of subtitle II of title 36, United States Code, that is intended to serve individuals under the age of 21 years.

“(2) IN GENERAL.—No State or unit of general local government that has a designated open forum, limited public forum, or nonpublic forum and that is a recipient of assistance under this chapter shall deny equal access or a fair opportunity to meet to, or discriminate against, any youth organization, including the Boy Scouts of America or any group officially affiliated with the Boy Scouts of America, that wishes to conduct a meeting or otherwise participate in that designated open forum, limited public forum, or nonpublic forum.”.

**AMENDMENT NO. 2055**

(Purpose: To make appropriations for certain activities related to Hurricane Katrina relief)

At the appropriate place, insert the following:

**TITLE \_\_\_\_ .**

**SEC. 101.**

(a) There are appropriated out of the Employment Security Administration Account of the Unemployment Trust Fund, \$14,000,000 for authorized administrative expenses.

(b) From the money in the Treasury not otherwise obligated or appropriated, there are appropriated to the Office of the Inspector General of the Department of Health and Human Services \$5,000,000 for oversight activities related to Hurricane Katrina.

(c) The amounts appropriated under subsection (a) and (b)

(1) are designated as an emergency requirements pursuant to section 402 of H. Con. Res. 95 (109th Congress); and

(2) shall remain available until expended.

Mr. CHAMBLISS. Mr President, I rise today in favor of the amendment I am offering to H.R. 2863 that will establish pilot projects regarding pediatric early literacy on military installations.

Reach Out and Read, ROR, is a program that trains doctors and nurses to advise parents about the importance of reading aloud to their children. The program provides books for all children from the age of 6 months to 5 years receiving a check up at participating pediatric centers. From the start, the purpose of ROR was to encourage parents to read to their children and provide them with the tools to do so. This premise is the basis for the ROR model utilized by 2,337 program sites across the United States today.

Currently, the program sites are all located at clinics, hospitals, office practices and other primary care sites serving more than 2 million children distributing more than 3.2 million books annually. While I am pleased that the program has a strong presence in Georgia, with over forty participating sites, I am also aware that none of the participating sites are on any of our thirteen military installations.

It is important that the children growing up on our Nation’s military installations are allowed the option to

participate in the same federally funded programs that are offered to non-military families and children. Initially, Reach Out and Read began as a collaboration between pediatricians and early childhood educators. By working together, these two groups found that pediatricians and nurse practitioners were in a unique position to promote early literacy because they enjoyed and had regular contact with young children and their parents through well-child check-ups. Reach Out and Read builds on the unique relationships between medical providers and parents, and helps families and communities encourage early literacy skills so that children will enter school better prepared for success in reading.

ROR plans to launch 300 new program sites per year for the next 5 years, which will double the number of children receiving books and guidance. My amendment will establish Reach Out and Read pilot programs on a limited number of military bases across the country. I ask for support of this amendment.

Mr. STEVENS. I move to reconsider the vote.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, again I say, we have told our colleagues time and time again we were waiting for amendments. No amendments have been noticed on either side.

I ask for third reading.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

Ms. LANDRIEU. I object. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator may debate.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. Mr. President, I ask unanimous consent that my 1 hour of time of debate be yielded to Senator LANDRIEU from Louisiana.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, I ask to speak for as much time as I may consume. I understand there will be other amendments that may be offered. We are trying to debate and pass the

Defense appropriations bill. I thank the Senator from Alaska and the Senator from Hawaii for their good work in trying to move this bill through because they have done an outstanding job.

I find myself in a very unusual position because, of course, I voted for cloture because I want to pass this bill. We absolutely have to pass a Defense appropriations bill. Unfortunately, we have had 48 soldiers from Louisiana die, many more wounded. Families are still mourning those losses and we have to figure out a way to get the job done over there, and get it done right and get our soldiers home.

We need to move on with this bill. As my colleagues know, at about 4:30 this morning this bill will pass under the cloture rules and we are going to go on. But I have decided to take some time until 4:30 this morning to talk about a war that is going on at home and that is a war we are fighting on the gulf coast to stay alive, to protect our way of life, to keep the American flag flying over Louisiana, Mississippi, and Alabama.

Mr. STEVENS. Mr. President, may I inquire how much time does the Senator have?

The PRESIDING OFFICER. Does the Senator from Louisiana yield for a parliamentary inquiry?

Ms. LANDRIEU. Yes.

Mr. STEVENS. How much time does the Senator from Louisiana have remaining?

The PRESIDING OFFICER. There is 94 minutes.

Ms. LANDRIEU. Mr. President, I probably will not take all 94 minutes at this moment, but I will probably take that and even some more as we move through the evening trying to get some closure on a subject we have now been talking about, unfortunately, it seems, with no end in sight, or no resolution on the horizon to try to get some real money—not photo ops, not promises, not press conferences, not visits, but some real money to some real people in Louisiana who need help, our cities that have been devastated, our parishes that have been crippled, our law enforcement that has been set back on its heels. Three hospitals stayed open the entire time in the New Orleans metropolitan area to provide desperately needed emergency health care in a region of almost 1.5 million people. Heroically, they stayed up, and because they did, one of those hospitals cannot claim insurance because the only way they can claim it is if they closed down. They stayed open so they may lose their hospital if we do not try to get some money.

The reason I do not feel the least bit guilty standing here asking for it on this bill is because the underlying Defense bill—if the staff will bring me the final numbers of this bill—has a tremendous amount of money we are spending in Iraq for our defense and for the standing up of Iraq. While I have questions about some of the things we are doing, some of the things we have

done, and how we are going to get ourselves back home after stabilizing it, I have to say when I went on the Web site today, it was hard to actually read. The people of Louisiana, Mississippi, and Alabama are going to be quite surprised if they go on this U.S. Army Corps of Engineers Web site and pull up this gulf region division because they might think this is about the gulf region right here in the United States. But it is not. It is about the gulf region in Iraq.

In the underlying bill we are passing, and we need to pass, I am trying to get the administration—the leadership here to at least agree to take \$1 billion of the FEMA money we have already allocated, \$62 billion, and send to Louisiana to begin some construction projects and some standing up of some critical programs to keep cities, parishes, and law enforcement whole as we begin our rebuilding program from the largest natural disaster that ever occurred. That is all we are trying to do is give \$1 billion to the cities and parishes so they can hold heart and soul together, so as we pass additional help, whether it comes from levee construction, or whether it comes from small business, or whether it comes from health care, the entities of the government, the parish presidents, the cities, the sheriffs, the police officers, and the fire departments are there to help us build a region.

I was surprised to see on the Web page that this is the goal we have in Iraq: to establish a government, provide security, enhance basic services to the Government of Iraq. It sounds like something we are trying to do in Louisiana, Mississippi, and Alabama—provide security, enhance basic services, and keep our cities, our police forces, our fire departments operating through the worst and largest natural disaster in the history of the United States.

We are getting ready to send billions of dollars to Iraq, finance billions of tax cuts for other people, finance billions for programs. We have already given \$62 billion to FEMA that everyone says does not work, and I can personally testify to that, having been in the State now almost every day since this hurricane. We cannot seem to get an agreement to get \$1 billion for the people of the gulf coast to keep their security open, their basic services operating, their electricity running, and their water turned on.

We have been working for weeks diligently on these 815 projects in Iraq for ports of entry, military facilities, police facilities, fire facilities, prisons, and courts. The last time I checked the New Orleans court system, we did not even have a court operating. The last time I checked, the supreme court had moved to Zachary. The supreme court used to be operating in New Orleans until Katrina came. The whole supreme court went to Zachary, LA. They do not even have a court building to operate in.

I am all for this bill. To my knowledge, I have never voted against a Defense appropriations bill and do not intend to tonight, but because Senator VITTER and I have been asking for some money directly, not even new money, not even money out of this bill, for the House of Representatives to send us a commitment, for the President to send us a commitment of \$1 billion to our sheriffs, to our police force, to our firefighters for 3 months, to keep them operating, is it any surprise that I cannot sit in my chair and smile while we are sending all of this money to stand up public works in Iraq—354 planned projects in water treatment, sewer projects, buildings for health and education; 1,091 projects, including schools, primary health care centers, hospitals, and public buildings?

This is what my city looks like. Actually, this is not New Orleans. This is probably Waveland or Bay St. Louis, but it could be New Orleans. It could be Slidell.

This is what the gulf coast of the United States looks like today. Most of it is gone. These are the cities Senator VITTER and I and our delegation have been trying to get help to. I do not see any houses here, but maybe someone does. I do not know how we collect ad valorem taxes to pay for police and fire protection. There are no stores people can shop in to generate the sales tax necessary to keep the mayor and city hall functioning. When we pass tax credits, which we might want to do and have already done to entice businesses to come back, where would they go to get a permit? When they file their plans for construction, who would review them? When they have to file their plan to meet the EPA standards that would be required before they could build here, who would be there to take their application?

This photo is what my constituents look like. I wouldn't be surprised if this man was in the Army or the Navy. Maybe he is a Reserve officer. I wouldn't be surprised at all because I have thousands of them who put the uniform on and went to Iraq and came back, and this is what they have come back to. I have an administration that is going to pass this Defense bill to put electricity in Baghdad, build schools in Baghdad, and will not give the Louisiana delegation \$1 billion—out of \$62 billion that has already been allocated so it wouldn't cost anybody a penny—to help keep the lights on in the cities that were destroyed.

This is what my people look like. I don't know how many times they have to cry. I am sorry she doesn't have a lobbyist to send to Washington. I happen to be her lobbyist.

Here is one for the books. "Here lies Vera. God help us." I think this grave is in New Orleans. I am not certain. But neighbors in the middle of the flood, when no one would come to get them, took this 65-year-old woman who was killed in the flood and built a grave for her and wrote "Here lies Vera. God help us," before they left.

This is a picture of a woman who the news media does not think a lot of—not all of them, but a lot of them don't think she is self-reliant. We don't have self-reliant people in Louisiana because we have the nerve to come up here and ask for money. That is our money that we put in the Treasury. We don't have self-reliant people, one of the newspapers said, in Louisiana.

Our people put money in the Federal Treasury thinking they belonged to the United States of America, so when one county or one parish or one State is hurt, the other 49 might come to their aid. That is what the United States is about.

This woman looks pretty self-reliant to me. She does not have much, but you know what. She has her two children in her arms. And if she had three, I am sure she would have figured out how to bring the other one on her back. She brought them to safety.

This woman may be complaining, but I can tell you I have seen a lot of people who have been through a lot of stuff, and they still come up to me and say: Senator, we appreciate everything everybody is doing for us. I just wish you would hurry up.

Not everybody is complaining. But let me put it down right now: I am complaining. This Senator is complaining about the treatment that our people have received.

I tried to be patient. I tried to say: Fine, FEMA is not working. I understand it. We all made a mistake. We all messed up. We put it where it can't work. We put someone in charge who didn't know what he was doing. We gave them money, they can't spend it, so let me just have \$1 billion of the \$62 billion that they have. There is \$43 billion sitting there they cannot even use. Let me just please get it to my firemen, to my police officers, to the mayors to let them operate for 3 more months.

I have to be told: Senator, I am sorry. We want to go home on a break. You know what. We are not leaving until 4:30 in the morning. We might go home on a break, but it will be 4:30 tonight.

Right after the storm, a lot of people didn't have electricity. After hurricanes you don't have a lot of electricity, so people are used to it. After about a week or 2 weeks, the electricity comes on, but of course a lot of things are ruined in your house. But I still have places with no electricity. How do you get businesses to come back if they don't have electricity? I still have places that don't have running water.

Please stop sending us bottled water. We have enough. It is not the bottles we need, it is the faucets that need to get turned on. But we are going to stand here and pass a bill delivering on power for Iraq.

A total of 2,760 megawatts of power have been added to the grid in Iraq to service more than 5 million Iraqi homes, and I can't get \$1 billion to help

keep electrical workers on the ground in New Orleans turning on the power in Louisiana, Mississippi, or Alabama.

We never have any money for anything, but here in the Corps of Engineers budget here is \$4.3 billion allocated from supplemental appropriations for general system improvements for electricity. The World Bank estimates the total necessity to be \$12 billion, so I am sure we are going to come up with the other \$8 billion to turn the lights on in Iraq. But the people who produce the electricity in the United States of America to turn on lights everywhere in the country, from Chicago to New York to California, can't get the lights turned on in their own backyard because nobody around here can find \$1 billion to give to us.

They say: Senator, how do you know FEMA is not working? I have been home just about every day and have been to most of the shelters, talked to most of my mayors, talked to my sheriffs, talked to everybody at home, trying to be patient, understanding they are working little kinks out. But let me tell you what comes into our office on a daily basis.

Phone calls to my office:

The attached pages are records of some [underline some] of the calls received in the last few days. Nearly all of them from constituents who have not received any assistance from the Federal Government or Red Cross.

Some of the first calls were for search and rescue, and in the 35 days since Hurricane Katrina made landfall, countless Louisianans are in no better shape than they were on the day the hurricane hit.

I am sure Senator VITTER has a stack at least this thick, if not thicker, as has every member of our congressional delegation, and even some of our neighbors from the neighboring States. They have calls recorded—names, phone numbers.

When people say, Senator, how do you know FEMA is not working, I do have an idea it might not be working very well. So we could take \$1 billion from FEMA, send it through an already existing program called the Community Disaster Loan Program that worked in New York, that worked in Puerto Rico, that has worked everywhere in the country when disasters strike, and transfer some of that money there and just give it to our cities, our sheriffs, our law enforcement, and the three hospitals that stood up. Not the 21 other hospitals that are closed, not all the other needs that we have, from levees to environment to housing to education to health care—none of that. We can wait for that until we get back. Just keep us operating while we are on vacation.

We have yet to hear from the White House, from the House of Representatives. I know the Senate would pass such a proposal, but the reason I cannot accept the passage from the Senate is because all that would be is a Senate-passed bill.

I am sure the Senate would pass it unanimously, but it would pass and it

would sit and no one in Louisiana or Mississippi would get help because until the House of Representatives acts, until the President says that he will do this, it cannot be done.

I know the President wants to help. He has been down to the State. He recognizes that FEMA is having some problems. He has said he wants to help. But we just cannot keep waiting. So I am going to stay here through the evening. I am going to continue to negotiate. I am going to continue to talk with the Senators handling this bill. I am going to continue to have telephone calls and meetings with anybody who would like to talk about this subject and see what we can do to get this money committed, in real dollars, in any bill in any way for this one community disaster assistance program.

Then we need a commitment when we get back to have a vote on Grassley-Baucus, a bill that gives emergency health care that this Senate has already approved in a bipartisan way, and three amendments to that bill. They would cover some emergency education for elementary and secondary grades and emergency education for our universities that are teetering on the brink of collapse—all of them, public and private, and historically black colleges included. If we can have a vote when we come back—the Senate can vote no, the House can vote no, or you know what—the President can veto the bills. But at least I will think I did everything I could to try to get people help. If the President wants to veto the bills, fine. If the Senate wants to vote them down, fine. If the House wants to vote them down, fine. But at least we can get a commitment to get votes on those bills, get the \$1 billion now, and we will come back.

I assure you we will be working on this not for weeks but for months, for perhaps years—until we stand up this region.

I am not one who doesn't believe in nation building. Some people don't think we should be engaged in it. I happen to be inspired by the idea that maybe the United States has some things we could share in a positive way and help countries to achieve what we have achieved, which is remarkable in the history of the world. But I have to tell you, the first nation we need to be building is our own. We have had the largest natural disaster in the history of the country, Katrina, followed by Rita, which was a vicious and very tough storm, and in between those things a disastrous collapsing of a levee system that put the Nation's energy coast underwater—or a large segment of it. It put 10 feet of water in a major American city and virtually has shut it down and shut down the surrounding areas.

I have to walk around the Senate for 31 days pretending. Are people saying to me, What can we do to help? We have laid down many things that can help. Many committees have responded. Yet the only thing that has

happened for 31 days is that we have given FEMA money, and they can't seem to get it out. So we need to try something a little different. We need to try something a little different.

I wish FEMA was the way it used to be, and maybe it will be again. But it is not today, and it won't be next week, and it won't be next month. We can't keep waiting for FEMA to organize itself. We are the Congress of the United States. We are Senators. We understand these things. We have been through them before. And to just keep doing the same old thing and expecting different results is crazy. It doesn't make any sense. It is not right.

Let us figure out a way to take \$1 billion out of FEMA, transfer it either through this bill or through another vehicle, and send the money to our parishes, to our cities, to our police, to our fire for 3 months of operation, which is already authorized in the law. But the reason it can't be done administratively is because there is a legislative cap of \$5 million. The budget for the city of New Orleans alone, salaries only, is \$20 million a month. Why would anybody think that a program that only allows you to borrow \$5 million would help them? We have to find \$1 billion, approximately, to keep these entities up and running, or by the time we get back in 10 days they might have already had to lay off police, fire, and critical personnel. How do you start building up again once you have closed down your city hall, shut down your fire department, shut down your police department, and people have had to go out and search for jobs elsewhere? How do you recruit them to come back? How do you get them back after you have broken their spirits and laid them off is beyond me.

Let me correct myself. No matter what Congress does, having represented this State for a long time, I want to say that you are not going to break our spirit. It has been around a long time. We are a pretty old place. We were here before the country and are worth saving. We will figure it out.

But people in Louisiana are having a hard time figuring out how we can spend weeks on the Defense appropriations bill, which is doing more than supporting our troops, which is building up Iraq, actually, with a gulf coast region. I want to repeat, gulf region division. We don't even have a gulf region division of the Corps of Engineers in the United States of America today. We have a New Orleans district which covers the southern part of Louisiana. We don't even have a gulf coast region. That would be an advancement. But we have one in Iraq. Meanwhile, the gulf coast of this United States, the heart of the energy industry, looks something like this with the water down.

As I said many times, while there is a lot of vacationing that goes on in the gulf coast, particularly along the coast of Mississippi, we have enjoyed that beautiful coastline for years, and we have enjoyed the beautiful sandy

beaches in Alabama. Most of the people in the coast of Louisiana and many in Mississippi and Alabama work at the ports. They work at shipbuilding. They are shipbuilders or they are commercial fishermen who put food on the table that everybody in America eats, and around the world. They light up Chicago, and they are proud of it.

Do you know what the National Geographic said about it? I think this is a very reputable publication, and it is written, I am very proud to say, with the help of the Times-Picayune, our newspaper which has been in the city I think as long as the city has been there, evacuated itself. They are writing the paper in Baton Rouge and printing it in Houma. We don't even have a newspaper in the city of New Orleans, not the major newspaper. We have several other good publications, and they are all struggling to stay in business. But with nobody in the city, where would you deliver your paper and to whom would you sell the advertising? There are no businesses in the city that are operating very well. But our newspaper, thank goodness, is still working. They collaborated with the National Geographic and the Dallas Morning News and put together this amazing report on Hurricane Katrina, "Why It Became a Manmade Disaster and Where It Could Happen Next." I highly recommend it for reading here and around the country.

On page 49, it talks about an economic powerhouse brought to its knees. We are not a charity case in Louisiana. We are an economic powerhouse, and we have been so for over 350 years. I reminded my colleagues today, thank God for President's like Thomas Jefferson who understood borrowing money and what you borrow it for. He borrowed money from the Treasury and bought the Louisiana Purchase for 3 cents an acre because he knew that this country could not grow and meet its destiny, that western expansion and getting to the West was impossible without the Mississippi River.

Andrew Jackson went down there after he fought one war and defended it again. Why? Because after he won the first war, the British tried to come and take New Orleans because if they could take New Orleans, we could never be the country we are. Thank God Andrew Jackson knew about it, and thank goodness the storm didn't topple his statue, which is still in Jackson Square.

An economic powerhouse brought to its knees. Eight hundred manned and thousands of unmanned platforms are in the Gulf of Mexico. The largest platform, Mars, is teetering on its side. They cannot produce oil and gas. We are trying to get it stood up again.

If anybody wants to know why the price is going up, it is because this monster hurricane hit the heart of the oil and gas industry. Despite our best efforts to protect these infrastructures, despite begging for decades—decade after decade after decade—to restore



our marsh, to protect the investment this country has made, for 200 years we have been turned down time and time again. So now it is time to pay the piper. And I am sorry if it is going to cost \$40 billion. I am sorry that is what it is going to cost over the next 10 to 20 years to stand this powerhouse up again. If anybody wants to check the figures, just come to the Hart Building on the 7th floor, and I will go over every single dollar with you.

Do you know what the biggest ports are in America? It is not New York, it is not Seattle, and it is not Houston. It is the Port of South Louisiana, the Port of New Orleans and the Port of Baton Rouge. We dwarf the other ports. We dwarf them. Our port comes up here and asks for some money, and they get told they are a charity case. They have been taking grain out of Kansas for 200 years. We have been draining the whole continental United States for 200 years. We have been shipping everything—goods—all over the world for 200 years. And I have to hear that when our port comes here for help, maybe not even a grant, just a loan to get them through the next 3 or 4 months until they can get back up on their feet, that there is something un-American about them, they need to be more self-reliant.

Over 9,000 miles of pipeline connect the gulf with the Eastern United States. We have laid pipelines. No one in America wants them, but we have been laying them down for a long time. Why? Because we have oil and gas. We believe in energy, energy independence. We don't think we should get everything from Saudi Arabia. We would like America to be more independent, so we produce some oil and gas, and we make no apologies for it. But when you lay these pipelines and do not invest in the marsh in which you lay them down and you let it erode and the saltwater comes in and you levee your rivers for channelization and you don't invest in the technology and science that we know would protect our marsh, catastrophes happen.

Unfortunately, as in every case, the poor have suffered the worst. But they are not the only ones who have suffered. Middle-class families, very successful, money in the bank, house paid for, children through college, looking forward to the next 10 or 15 years, 20 years maybe, and they deserve it; they have worked hard all of their lives, they have paid their taxes, they have kept up with their interests, they go to church every week, and this is what they look like today. They are told to be more self-reliant? I do not know how much more self-reliant people can be.

I will continue to explain why our region is an economic powerhouse, why it needs to be so again, why we need to rebuild it, and why, unfortunately, it is going to be more expensive than it should have been because of the things we should have been doing for the last 40 years and haven't, the investments the Federal Government should have made and didn't, even when they knew that

this was inevitable. Yet there are some things that we didn't do at our State level. And yes, there are some things we didn't do at our city level.

But again, this river does not serve only the 4.5 million people who live in Louisiana, it serves the 300 million people who live in this Nation and the billions of people who live in this world and depend on trade for prosperity and for commerce and for peace, because the more we trade with each other, the more we know each other, the more we can rely on each other in a mutually respectful way, the greatest chance we have for peace.

These levees do not just protect the people who live in the neighborhoods around them. They protect billions and billions of dollars in investment made by this country over a long period of time. And a levee system failed. We have struggled to keep the levees up. We have spent a lot of money keeping them up. But we needed more help from the Federal Government. We could have been more efficient on our end as well. We could have taxed our people more. But it gets hard on all of those fronts. People want tax relief. They don't really want to face the expense of what we have to do. We are not always disciplined about the way we build.

But again, it is not impossible if we make some decisions now to get some emergency money to our cities, to our sheriffs, to our law enforcement officers, and to our very basic health care in the region. This is not just New Orleans, this is all through south Louisiana and Mississippi and Alabama. This would cover all of them. Under current law, that is no help to them right now—or very little help. We can cover some places in Texas if they need help. I don't know if they need as much help as we do in Louisiana or as we do along the gulf coast in Mississippi which I am more familiar with than I am the coast of Texas, although of course I have been there. I really grew up on the coast of Mississippi, as well as on the coast of Louisiana, so I am more familiar with it. But I can tell you that these cities that look a lot like this throughout the gulf coast are going to have a hard time meeting payroll.

Some cities have money in the bank, but the needs are so great and so overwhelming and FEMA has not been, as I said, very efficient. If we can't get them just a bridge loan, if you will, for 3 months a lot of our cities won't operate.

Now, I understand—and this is a Mississippi coast. You can tell because they have white beaches. We don't have beaches. Our coastline is marshy. I am pretty sure this is Mississippi. In Mississippi, I understand their legislature has borrowed \$500 million so their cities could get some money, and that might be a solution for them. The problem with Louisiana is that our Constitution prevents us from borrowing money for operating expenses. And

that is, in my view as a former State treasurer and current Appropriations Committee member, not a bad rule, if you will. You don't want to borrow money for operating expenses. If you are going to borrow money and have people have to pay it back, you want to invest it in that which will return to you something in the future. So you borrow money to build ports, to build highways, for capital improvements. So our State cannot borrow money at the legislative level to give out to our cities for operating expenses or to our firefighters and police. The FEMA law today only allows the payment of overtime. So while we can get overtime paid, we can't get straight time paid. We can't get regular time paid. Even if we would, they can't lend them more than \$5 million. And as I said, the operating budget in the city of New Orleans is \$20 million a month, so \$5 million will not do us very much good. If I thought we could organize a constitutional amendment in 30 days and have a vote, I might suggest that. But the polling places have been washed away, and I am not sure how we would find all of our people to vote since there are people in all 50 States, and we have no mechanism right now to do that, to my knowledge.

So we cannot borrow money at the State level to help them. The cities can't go to the capital market. We are restricted by the Constitution. FEMA has \$63 billion, with \$43 billion sitting there, and Senator VITTER and I and our delegation have asked for \$1 billion to keep the lifeline until we get back from our vacation, and we are told we can't afford it, but we are going to stay here and pass a bill to stand up the country of Iraq by building schools, health care facilities, electric grid, sewer and water, water treatment plants.

Well, I can understand, you all can understand why the people of my State would want me to stand here and try to make this case. So we will be standing here, I will be standing here until 4:30 in the morning until we get a resolution on what we are asking for. I am asking for \$1 billion of real money anyway, outside of FEMA or take the \$1 billion from FEMA. Let us keep our lifeline going until we get back, and when we get back have a vote on Grassley-Baucus, which this Senate has put together in a bipartisan way, with three amendments for emergency funding for our schools and our universities, for health care, and housing.

I reserve the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SANTORUM. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER Without objection, it is so ordered.

## VOTE CORRECTION

Mr. SANTORUM. Mr. President, on rollcall vote 252, I voted "yea." The official record has me "absent." Therefore, I ask unanimous consent that the official record be corrected to accurately reflect my vote. This will in no way change the outcome of the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANTORUM. I thank the Chair.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I understand that the distinguished Senator from Louisiana, Ms. LANDRIEU, wishes to continue her speech. I ask unanimous consent that I may speak briefly for not to exceed 10 minutes and that she then be recognized to continue her speech.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. I would object to that. The Senator from Louisiana has not asked for time. The Senator does not have to ask for time. He is entitled to an hour right now at his own request. So we do not have to have any consent. But I do not object to the Senator speaking as long as he wishes. But I do object that only the Senator from Louisiana can be recognized when he is finished. And Senator HATCH, by the way, is here. He had a very sad thing occur in his office, and he wants to speak when the Senator is finished.

Mr. HATCH. If I could.

The PRESIDING OFFICER. Objection is heard.

Mr. BYRD. I thank the distinguished Senator from Alaska, and I thank the distinguished Senator from Utah.

Mr. President, last night, in a closely divided vote, the Senate rejected an attempt to add much of the Defense authorization bill to the Defense appropriations bill. Each of these bills is vitally important to the men and women of the U.S. Armed Forces but for different reasons. Inasmuch as I am a member of both the Senate Appropriations Committee and the Senate Armed Services Committee, the importance of each of these bills is very clear to me.

The Defense appropriations bill contains the funds that are needed to keep our military running. This bill contains \$440 billion that is required to, among other things, pay, train, and equip our troops for the next 12 months. It is often said that our troops are the best trained, the best equipped, and the most capable military force in the world. In large part, this is true because Congress has appropriated the moneys that are needed to create this outstanding fighting force. That, in a nutshell, is the importance of the Defense appropriations bill.

The Defense authorization bill also has an important purpose. That bill is intended to establish in law critical defense policies. The Defense authorization bill contains provisions that relate, among other things, to the setting forth of the number of military personnel that the United States is to maintain; expanding health care options for our troops and their families; and increasing pay and compensation for active-duty, National Guard, and retired servicemembers. The bill also includes many complex technical provisions, such as changes to military acquisitions policy. The authorization bill is important to our troops, but it is a very different bill from the Defense appropriations bill.

Last night, I opposed the effort to fuse these two bills into one. That move, had it been approved, would have resulted in a delay in our troops getting the appropriations that they require. It also would have resulted in less attention to the policy matters in the authorization bill that affect our troops in so many ways.

The Senate owes our troops and their families a conscientious, well-informed debate on such important authorization matters as improving health care benefits for the National Guard, among other things. The American people need to know what their elected representatives in Washington are doing when it comes to defense policy. The American people have given their sons and daughters to fight for their country. Can't the Senate give a few days to them? Can't the Senate give them a few days of debate to inform them about what the Congress proposes to make the law of the land concerning defense policy?

Many believe that the Senate could debate, amend, and approve the Defense authorization bill within a week, plus or minus a few days, if it were brought before the Senate for open debate and amendment. Passing the authorization bill in that way would serve our troops far better than keeping that legislation on the shelf, where it has been for several months now.

The Senate will pass the Defense appropriations bill later today. Surely—surely—Senators can spare the time required to finish action on the Defense authorization bill. Our troops are overseas. They are serving in harm's way and need both of these bills to be debated, passed, and signed into law.

The Senate has spent all too much time conjuring up complex parliamentary procedures instead of facing the real issues confronting our military servicemembers. The Senate should call up the Defense authorization bill and let the sun shine on our deliberations and debate.

We are the servants of the people. We are the servants of the people, not their masters. We owe the people a public accounting of decisions on such important matters, instead of a fast shuffle that avoids difficult issues and difficult votes.

## IRAQ

Mr. President, on another matter, next week, the people of Iraq will go to the polls and cast a critical ballot. They will decide whether to endorse the constitution as drafted by their political leaders. It is an important day, and I pray that it goes well.

No matter how well the vote goes, whether or not the constitution is ratified, it appears that the men and women of our Nation's Armed Forces will be in Iraq for a long time to come.

I applaud those men and women. Our soldiers, our sailors, our airmen, our marines, our National Guard, our Reserves—our troops—have displayed unique courage in the face of great trials. My support for them has never—and will never—waiver. They have earned the respect and thanks of this Nation.

But even more than laudatory words, our troops deserve a plan for Iraq from their Commander in Chief. The American people deserve the same. We must have a plan with measurable goals and objectives, a plan that gives some surer to our military as well as to the people of this Nation.

Today, in a speech to the National Endowment for Democracy, the President talked a great deal of why we have forces in Iraq, but the President did little to provide any plan for success.

The American people want to know how we will measure progress. In response, the President said:

We never back down, never give in and never accept anything less than complete victory.

No specifics, no plans, no way to measure success.

Maybe the President did not offer specifics because the specifics are not very encouraging.

Consider the Iraqi troops. For a new American soldier, basic training takes 9 weeks to complete—9 weeks. The United States has, for more than 2½ years, been training a new Iraqi military. Basic training for all Iraqis, and specialized training after that—2½ years.

In June, the Senate was told by the Department of Defense that 3 of 100 Iraqi battalions were fully trained, equipped, and capable of operating independently—what the Defense Department calls "level one trained." Two and a half years: three battalions—three battalions.

Between June and the end of September, one would assume that we would be growing that number. Yes, one would assume that we would be growing that number. We are training more Iraqi forces, so more Iraqis should be ready to stand up and defend themselves.

Yet, in testimony before the Senate Armed Services Committee on September 29—just a few days ago—GEN John Abizaid, the Commander of the U.S. Central Command, poured cold water—cold water—on hopes for progress. Between June and September,

the number of "level one trained" battalions went from three to one. How about that? Instead of moving forward, we are going backward.

Perhaps the reason that the President did not tell the American people how to gauge success is because he does not have success to report. I must admit, I listen to every address—every address—about Iraq with great skepticism. And it is because of the track record of this administration. Don't just take my word for it. The record is replete with examples that cause one to look askance at the White House claims.

One example is from this past May. Vice President CHENEY was asked about progress against the insurgency by CNN. He responded:

I think they're in the last throes, if you will, of the insurgency.

The Vice President was confident. The Vice President was unwavering. The Vice President was wrong.

Again, in testimony before the Senate Armed Services Committee last Thursday, GEN George Casey, the Commanding General of the Multi-national Force in Iraq, explained that the "last throes" was a rosy scenario.

The average counterinsurgency in the 20th century has lasted nine years. Fighting insurgencies is a long-term proposition, and there's no reason that we should believe the insurgency in Iraq will take any less time to deal with.

Now, those are the words not of ROBERT C. BYRD, but they are the words of General Casey.

Whom should the American people believe? What should the American people believe? It is time for the deceptions and the distortions and the misrepresentations to end. The American people deserve the truth.

Instead of broad platitudes, the American people deserve the facts. Most importantly, the American people deserve a plan. When will the Iraqi people be able to defend themselves? When will the Iraqi military be able to fight the insurgency without the American forces? When will the Iraqi police forces be able to control the streets? What is the timetable for reconstruction? What is the target for constant electrical power in the major cities? For communications? For safe transportation? What is our strategy for preparing the Iraqi people to be able to defend themselves?

We seem to have no strategy—no strategy—with benchmarks for success, no plan for progress. How will we know victory if we cannot even define it? What is the plan for our heroes in Iraq? What is the plan to stabilize that nation? The American people and the Iraqi people deserve to know the answers.

The people of the United States must know not only how their country became involved, but where we are heading.

That is the end of the quotation. I agree with those words. But they are not mine. Those words belong to a Congressman from the State of Illinois in

August 1965. Those words belong to our current Secretary of Defense, Donald Rumsfeld. And they echo as true today as they did in that summer 40 years ago.

I urge the Bush administration to level with the American people. Moreover, I urge the White House to level with itself. Face the facts. Stop the spinning. Get a grip on the situation. Then please, please, oh, please, explain to us all where we are heading in Iraq.

Mr. President, I thank all Senators and I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

TRIBUTE TO SHAWN M. BENTLEY

Mr. HATCH. Mr. President, I rise with a heavy heart to announce the untimely passing of one of the Senate's own, our long-time staffer and former colleague, Shawn Bentley.

What can you say about a 41-year-old man who died: That he was brilliant and talented; that he was a loving family man, a wonderful father to Katie and Samantha, and a devoted husband to his wife, Becky; That he loved James Joyce and William Shakespeare and Elton John; and the law; and the Senate; and life.

Shawn worked for the Judiciary Committee for a decade, from 1993 to 2003. Starting as my counsel, in the minority, Shawn worked on a variety of legal issues, from healthcare antitrust, to radiation compensation, to the balanced budget amendment. He rose through the ranks, ending his Senate tenure as the majority's chief intellectual property counsel and deputy chief counsel to the committee, one of the top jobs in the Senate.

Although we were sad to see him leave the Senate, I was so proud of him when he joined Time Warner as vice president of intellectual property and global public policy.

In the Senate, the major bills Shawn helped write are among the most important laws in the intellectual property world: the Satellite Home Viewer Improvement Act; the Digital Millennium Copyright Act, the American Inventors Protection Act, the Patent Fee Integrity and Innovation Protection Act, the Anti-Counterfeiting Consumer Protection Act, and the Trademark Dilution Act, just to name a few.

Shawn was so bright and so accomplished a lawyer, that we did not hesitate to assign him any subject. And it was such a joy to work with him, because all knew he was a model of decency, humility, and spirituality. As the Elders' Quorum President of his church congregation, and man of remarkably strong faith, Shawn lived a life of service to his fellow man and woman. In whatever he did, Shawn handled the matter with both talent and a remarkable good humor.

In all the years that Shawn worked for me, I cannot recall one time when he was not warm and engaging. Even when he was a little frustrated, as all of us are sometimes, Shawn still had a smile on his face. In fact, Shawn had a

calmness about him that was almost serene. Yet, he had a very sharp sense of humor that made him a delight to be around.

Shawn was among the brightest and most informed. Yet, he was never arrogant, a rare quality in one so talented, especially on Capitol Hill!

Shawn was more than the chief intellectual property counsel to the Judiciary Committee, he was our in-house professor of arts and humanities. Visiting Shawn's office was not like visiting a typical counsel's office on the Hill. Visiting Shawn was more like visiting your favorite classics professor at his desk with his exquisite fountain pen in hand.

To be fair, Shawn's lair in the Hart Building had the requisite congressional directories, codes and public laws. But he also had a vast book collection of classics, poetry, Shakespeare anthologies, first edition novels, and British history books. And did I mention the miniature busts of philosophers and great thinkers?

Then, there was the collection of CDs ranging from Creed and Metallica to Beethoven to Brahms to Mozart and Bach. While his book collection in the office was impressive, we knew there had to be a much more extensive collection at home.

Pressed about his office supply of nonlegal books, Shawn admitted that it was growing because his wife Becky had imposed a moratorium on bringing any more books to their home, so the overflow ended up in the office. When Shawn found out that a colleague lived near the used book store in Bethesda where he often located some treasures, he enlisted her to pick us some volumes from time to time, thus saving him the trip and the explanation of a voyage to Bethesda. That was probably Shawn's closest thing to a vice: sneaking a volume of poetry into his collection.

Shawn was the only heavy metal enthusiast I know who also loved to read Shakespeare and could discuss both topics with equal enthusiasm and knowledge. Indeed, it was this respect for the importance of creativity in helping shape culture that may have attracted Shawn to IP—intellectual property—law and policy. He helped me with so many important IP issues, many of which I listed before, it is hard to single out Shawn's most important work.

One event does stand out in my mind. In 2000, as chairman of the Judiciary Committee, I scheduled a hearing on peer-to-peer copyright infringement. Shawn arranged to have witnesses from Metallica, Lars Ulrich, the Recording Industry Association of America, and several Internet company executives testify on the same panel. To demonstrate how P-2-P services worked, Shawn suggested I download from the Internet the rock band Creed's then-hit "With Arms Wide Open."

Just then, the bells rang for a vote and committee members started to

leave. I'll never forget looking back as I left Hart 216 and seeing the almost surreal scene of Senators mixing with media and staff, talking to Internet pirates and heavy metal band rock stars with rock music playing in the background. It was a scene that only Shawn could have pulled off.

Shawn did all this—he succeeded at all he undertook—without boasting or calling attention to himself. He knew there were more important things in life than a battle of wills and, as a result, he won the respect and trust of people on both sides of the aisle.

There is not one person on the Hill or in business who would call Shawn an adversary or enemy. Those who worked with Shawn learned a lot more from him than the other way around.

Two other fond memories of Shawn from early in his career come to mind. When the Senate was debating the constitutional amendment for a balanced budget, the BBA, I asked Shawn to develop some materials supporting the need for the amendment.

With customary good staffing, Shawn put together a very impressive set of volumes which he drove out to my home the weekend before the debate. I was astounded by the depth, and to be truthful, the volume of the materials. "Shawn," I said, "I'm just overwhelmed by the amount of material you developed. You didn't need to do all that." Shawn thought a moment, paused, and said, "With all due respect, Senator, could you have told me that yesterday?" That was the wit of Shawn Bentley. Quickly recovering, I replied, "Shawn, I don't need all those materials if I have you sitting by my side. That's good enough."

And I meant it. I could always count on Shawn to be well-prepared, succinct, and oh-so-witty. But Shawn was Shawn. So, then we got to the floor with the BBA.

As chairman of the Judiciary Committee, I was managing this constitutional amendment's debate on the floor with Shawn right there beside me. One of the most contentious issues was over how the amendment would affect the Social Security fund.

Senator Fritz Hollings, then the junior Senator from South Carolina, for some 40 years I might add, was recognized by the Chair to speak in opposition. Knowing his remarks were long, I took that opportunity to go to the cloakroom and make a phone call. I asked Shawn and another capable staffer, Larry Block, to please take notes and write down five points to respond to Senator Hollings.

The trouble was that with his deep South Carolinian accent, neither Shawn nor Larry had absolutely any idea what Senator Hollings said. After about five minutes, my two staffers were getting pretty nervous on the floor anticipating my return. Suddenly, Shawn gave a big smile. "I've got it," he said. "All we need to do is write down five points supporting the BBA and why its enactment would not

have a negative impact on Social Security."

I soon returned and read the talking points, adding several points of my own. All went well. Only later did I realize what Shawn had intuitively grasped. If we could not understand Senator Hollings, no one else could either!

The moral of this story: As President Andrew Jackson opined many years ago, "Take time to deliberate, but when the time for action arrives, stop thinking and go in."

Shawn was probably one of the most deliberate lawyers ever to have worked on the Judiciary Committee. On Capitol Hill, where the emphasis too often seems to be on getting there first, Shawn's primary concern was always getting it right first. I could count on him to have the right answer to my questions, and if he did not know the answer, he wouldn't guess—he would do the work and get it right and then make his recommendation to me.

I cannot say enough good things about Shawn Bentley. Indeed, his loss is a loss to the Senate family, to his family, and indeed the Nation.

As we head into this season of Autumn, as the leaves change colors and the temperature turns, some verses from Ecclesiastes 3 seem so appropriate:

There is a time for everything,  
And a season for every activity under heaven:

A time to be born and a time to die,  
A time to plant and a time to uproot,  
A time to tear down and a time to build,  
A time to weep and a time to laugh,  
A time to mourn and a time to dance,  
A time to embrace and a time to refrain,  
A time to search and a time to give up,  
A time to tear and a time to mend,  
A time to be silent and a time to speak, and  
A time to love and a time to hate.

Let us take comfort in those words, knowing that it was God's will that this be Shawn Bentley's time. But we can still rejoice in his life, and embrace all that was good about Shawn Bentley, the son, husband, father and friend we all loved so dearly. And may his family find comfort in the lasting memory of this great man, Shawn Marion Bentley, who indeed lived his life by the words of "With Arms Wide Open":

"If I had just one wish  
Only one demand  
I hope he understands  
That he can take his life  
And hold it by the hand  
And he can greet the world  
With arms wide open . . ."

Shawn Bentley's untimely passing is this Nation's loss.

On behalf of the Senate, let me say that our hearts go out to the Bentley family—to his loving wife Becky, their beautiful daughters Katie and Samantha, his parents DeAnna and Marion, and his five brothers Jared, Derek, Justin, Christopher and Gavin.

Mr. LEAHY. Mr. President, the Senator from Utah and I are here to talk about something where somebody's

schedule has been terribly changed, the schedule of his whole family. I am talking about Shawn Bentley and how all of us who knew him are offering our deepest sympathy for him.

Certain people on the Senate Judiciary Committee are like family, and Shawn had most Senators and staff among his many friends. He was extremely well liked on both sides of the aisle, both for who he was and for what he did.

In his decade as a senior intellectual property counsel to my friend from Utah, Senator HATCH, he touched every significant piece of legislation that we undertook: The Satellite Home Viewer Act, the Digital Millennium Copyright Act, the Federal Trademark Dilution Act. Those were the significant ones. There are a lot of others, important ones, that he was intimately involved with. But he touched us not only with his skill as a lawyer, his devotion as a public servant, his generosity as a colleague, but especially just his innate decency as a human being.

I know that he was a loving and devoted husband, father, and son. Leaving behind a young family makes it even more tragic. I hope his family, his young daughters who did not begin to get enough time to know their father, will know that those of us in the Senate mourn his loss. It is a tragic one.

My wife Marcelle and I will keep him and his loved ones in our prayers.

I thank the distinguished senior Senator from Utah for arranging the time for us to speak.

I yield the floor.

Mr. HATCH. Mr. President, I am grateful to my distinguished colleague from Vermont for the kindness that he has shown here today and the friendship that he has shown to me and to the family of Shawn Bentley. I am very grateful to him.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent that whatever time remains to me in the hour allowed under cloture be transferred to the time of the distinguished Democratic leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECESS

Mr. STEVENS. Mr. President, there are no speakers present. I ask unanimous consent that the Senate stand in recess until 7 p.m., with the time continuing to run against cloture.

There being no objection, the Senate, at 6:16 p.m., recessed until 7 p.m. and reassembled when called to order by the Presiding Officer (Mr. DEMINT).

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2006—Continued

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. SCHUMER are printed in today's RECORD under "Morning Business.")

Mr. SCHUMER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. VITTER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VITTER. Mr. President, I ask the Senate focus on a matter of real urgency and real importance for the people I represent in Louisiana and, indeed, for all of the victims of Hurricane Katrina along the gulf coast. We are dealing with so many new and enormously challenging situations because of the devastation of Hurricane Katrina. One of them is the fact that in Louisiana and in certain counties in Mississippi, in the truly devastated areas, we have areas that have been knocked off the map economically. There is truly no viable economic activity going on in those about six parishes in Louisiana and about three counties in Mississippi for the time being.

We will come back. Businesses will come back. Things will get back to normal over time, but it will take some time. So one of the primary challenges we have is absolutely no economic activity for now.

What does that mean? It means absolutely no local tax revenue for now to support local governmental entities, including crucial services such as fire and police and hospitals. This is an enormous and growing challenge in southeast Louisiana as we speak. Literally, we have crucial governmental entities that are trying to provide those very basic services—not a full-blown local government, not their normal budget as it was 3 months ago but those basic services, fire and police and hospitals, in order to form the basis of recovery. Because, indeed, if you do not have those essentials, you have nothing and no one will return; jobs and businesses cannot grow.

To help southeast Louisiana through this very torturous time, I have worked with the entire Louisiana congressional delegation to try to fashion some very focused relief to get funds through a loan program, which I will describe in a minute, to these local governmental entities so they can meet their core ongoing needs, their crucial emergency services, crucial necessary services such as fire and police and hospitals over the next few months until we can stabilize.

I have been working for over a week on this, getting into the details, if you will, with the Senate leadership. Let me compliment the Senate leadership and the majority leader in particular for being so focused on this issue, and working so hard on it, devoting significant staff to it.

I have also worked very hard on this issue with the White House and the administration, including the Office of Management and Budget. We have worked through the numbers and worked through various calculations of what that specific need for local government and essential services may be. I thank them and compliment them for that work.

I have also had significant discussions with the leadership of the House, and certainly House Members of the Louisiana delegation have done the same. We have thought through, worked through, talked through all of these issues.

The product of all of that work is a proposed piece of legislation which I have circulated to all Members of the Senate. Under that proposed piece of legislation, we would offer some immediate help, which we need to do now, before we recess for next week, to allow these local governmental units to survive and provide the basic police, fire, hospital, and related services they need to continue to provide if there will be any platform on which to build a full recovery.

I have circulated this proposed bill. It is a \$750 million bill that would work through an established loan program in the Department of Homeland Security. It is called the Community Disaster Loan Program. It has gotten great support through the Senate. In fact, there has been no objection on the majority side.

There is some objection on the minority side, but as yet, at least in terms of my knowledge, that objection has not been clearly identified or described to me or to anyone who can work out the problem and work out the objection.

Because of this enormously pressing need, because these units of local government are literally on the brink and can teeter either way with their mandate to provide essential services—fire protection, police protection, hospital access—I ask all Members of the Senate to give me their indulgence and focus on this proposal, and if they have a question or an objection, simply to see me or other knowledgeable Members about it as soon as possible. I will be here all night, as long as it takes. In fact, I will be presiding, starting in 7 minutes, for 2 hours. I will be happy to have conversations on the side with any Member who wants to pose questions or set forth any objections they may have to the proposal. But I ask the focus and the indulgence of all Members of the Senate to do just that, so we can come together in a bipartisan way and actually get something important and concrete done for the

true victims of Hurricane Katrina and begin to move on.

Again, this is a very time-sensitive matter so I urge Members who have questions or objections to do this tonight so we can solve these problems, pass the bill through the Senate, and make sure we pass this enormously vital and crucial legislation before the Congress leaves Washington, DC for the October recess.

Mr. President, I yield the floor.

Ms. LANDRIEU. Will the Senator yield for a question?

Mr. VITTER. I am happy to.

Ms. LANDRIEU. If the Senator will yield for a question and comment, let me thank my colleague from Louisiana for his extraordinary leadership on this issue. He has been in meetings all week, literally for weeks, as I have, and on the phone with everybody you can talk to. Of course, the time he spent in the House in Louisiana has served him well because he knows how much our needs are. But I want to ask him a few questions because he and I are committed to stay tonight until we get some kind of resolution.

Is it the intention of the Senator, the junior Senator from Louisiana, that these loans be in the same line as the current legislation, which gives discretion on the part of the administration to forgive them or not? Or is it the intention of the Senator for us to leave current law and absolutely make it certain, when no one else has been required to do so, that these loans would have to be repaid under all and every circumstance?

Mr. VITTER. Under the proposed legislation I am talking about, there is new language that would tighten up, if you will, the repayment possibilities of these specific loans. It would not change all of the Stafford Act, in terms of this loan program in general. That new language would simply apply to these specific loans.

That language is included in the proposed legislation for a very simple reason, and that reason is that, based on literally dozens of discussions with various folks, including in the House, it is very clear to me, in fact it is crystal clear to me, this will not pass tonight or tomorrow through the process without this language in the legislation.

Having said that, I have also gotten assurances from several people in the administration that they are very understanding of the extraordinary situation these local governments are in, in terms of their financial condition and their ability to pay, and they will be extremely open to working out that situation as it pertains to these liens over the period of the loans.

Personally—and I am only speaking for myself—I feel very comfortable with those assurances. Personally—and again, I am only speaking for myself—I am completely confident that without the language you are alluding to, this legislation will not pass the House either tonight or tomorrow. So that is the sole reason, that focused language

which applies only to these loans and does not change the Stafford Act on this issue otherwise, in terms of other situations—that is the only reason that language was included.

Ms. LANDRIEU. I can appreciate that. If you don't mind me pursuing that line of questioning, I can most certainly appreciate what the junior Senator is saying about the reluctance of the House of Representatives and the administration at this point because I have yet to receive any letter or assurance, but it is right now the House of Representatives that basically would be willing to make loans to the devastated cities in the gulf coast, but would insist that those loans be paid back, when not insisting on that for other loans that have been given to Puerto Rico, and to Florida, and to Alaska, and to other places, which were waived.

I understand the House of Representatives, while allowing others to borrow this money and then ask for forgiveness, would not allow Louisiana that same privilege. I understand the position of the Senator is that we be treated the same, as a first-class State, not a second-class State. I know that is your position. But it does concern the senior Senator that we would have to be dictated to by the House of Representatives, that we would have to be treated in some second-class fashion.

I am also appreciating that, while the administration has given you an assurance that they do not intend to treat us as second-class citizens, I would feel better, before we left tonight, if we had something in writing from the administration that they think Louisiana deserves the same treatment. For that reason, Louisiana, Mississippi, Alabama, and Texas—that we would deserve the same treatment as other States.

That is why I am in a situation here where I want to commend you for the compromise we have tried to reach today. It is, indeed, tempting. But we are going to have to go home, if we do not get something from this administration, and say we have agreed to a second-class status, and our people have been hurt and offended and left by a FEMA that is not operating very well. That is my concern.

I know you and I agree about that, but do you want to go ahead and answer?

Mr. VITTER. I will offer two further points of explanation. First, I have been working to address these issues specifically with Members of this body, including Senator JEFFORDS of Vermont, who had this specific concern about any permanent and global change to the Stafford Act. We have worked through that issue very constructively. I thank him for bringing that concern to me so we could work it out. I am asking all Members who have a concern to do just that, to identify themselves, to bring their concern to me.

Second, I am very comfortable with all the assurances I have received from the administration.

If there is any different language that would apply to these loans, perhaps it is partly explained by the fact that the size of these loans is well beyond anything that has ever occurred in this loan program before. So we are truly breaking new ground in terms of the size and the capacity that we are asking to be allowed to have access to because of the enormous need for this on the ground in the six devastated parishes in southeast Louisiana.

My final point is, it is very clear to me we either do this or we do nothing. One thing I am not in favor of is doing nothing. One thing I am not in favor of is giving speeches but going home with absolutely no concrete help for these desperate units of local government which have done heroes' work in terms of providing police and fire protection, health services, and hospital access. They need the help now. They cannot wait until 10 days or 2 weeks from now.

So given this is our situation, I believe this compromise is not only fair and just but absolutely essential that we strike today and tomorrow.

Ms. LANDRIEU. If the Senator will yield, I can most certainly appreciate that perspective. I definitely agree it is extremely important to not just give speeches but to get something that is real for our people. But because we have no written commitment from the administration, and no resolution, and no letter, and no written commitment from the House, no assurance, no resolution, no promise to pass the legislation that you have presented and outlined, I am not sure even if you and I could manage—because there is not very much disagreement between the two of us; but our colleagues have some disagreements—if we could pass this legislation in the Senate that it is actually really going to do anything for people at home other than say the Senate has come together.

It would not be the first time the Senate has come together, as the Senator knows, because this Senate is ready to pass emergency health care legislation, and this Senate is ready to pass emergency education legislation, and this Senate is ready to pass—and already has passed—help for small businesses. So it is not the Senate, as the junior Senator—

Mr. VITTER. Senator, I—

Ms. LANDRIEU. Just 1 minute. Let me finish.

The Senate is not necessarily the problem. We have been amazingly bipartisan. Our committee chairs and ranking members, as the Senator knows, have done yeoman's work. And in the Small Business Committee that you and I serve on, we have already passed that legislation. But the senior Senator remains concerned that we still do not have any written assurance or a resolution or something we could take home to our mayors, et cetera.

Let me say one other point. I have read carefully the proposed language

about lending Louisiana and Mississippi and Texas this money, and then making us pay it back when no one else in the country has been forced to do that. I have read that language. I have also read the language about who is eligible.

I ask the junior Senator, are you confident in the language—and I do not have it in front of me, but I can call it up, not that it is filed—that the sheriffs of Louisiana would be included in this proposed compromise? Is the Senator from Louisiana indicating that the sheriffs of our State are absolutely, positively included?

Mr. VITTER. Yes, I am completely confident of that.

Ms. LANDRIEU. OK.

Mr. VITTER. If the Senator will yield?

Ms. LANDRIEU. Go right ahead.

Mr. VITTER. A couple points: I think this is a very useful exchange because I take it from the Senator's comments that the senior Senator is, in fact, one of the folks who has expressed an objection to this moving forward tonight.

Ms. LANDRIEU. I have not yet expressed an objection, but I am considering it on the grounds—I am not yet expressing objection, but I am considering it, respectfully, having complimented the junior Senator for the great work he has done, because I am hesitant to accept terms of aid that are applied only to us and to no one else, and not because the junior Senator objects or other Senators, but because the House of Representatives, which is in control of the Republican leadership, has decided that the only way that they will amend the law is to force us alone, uniquely, to have to agree to pay it back, when no one else in America, in the past or the future, will be required to do so. That is a hard thing for the senior Senator to agree to, but I am considering it, if maybe that is our only option.

But you can understand why I might be a little bit exercised about the House of Representatives saying to people who are desperate—like on the front page of the National Geographic—we know you are suffering, we know you need help, there is no question you have no money to pay your bills, there is no question that we have lent other people money and forgiven their loans, there is no question that this is the worst natural disaster in the history of the country—but the only way we will compromise with you, Senator LANDRIEU and Senator VITTER and Senator FRIST and Senator REID, is if your desperate people promise to pay the loan back. And, by the way, we are only making the law for you.

Mr. VITTER. If I could ask—

Ms. LANDRIEU. Hold on. I will not yield at this moment. If someone—

Mr. STEVENS. I object.

The PRESIDING OFFICER. The Senator from Louisiana controls the time.

Mr. VITTER. Reclaiming my time, I would wonder if the Senator objects to the fact that under this proposal we



would also expand in terms of amount and number and capability the ability to get these loans? We are getting more of these loans than anyone in any other situation would have gotten before. I wonder if the Senator would object to that change?

Ms. LANDRIEU. Can I answer that?

Mr. VITTER. No.

Ms. LANDRIEU. Can I answer that?

Mr. VITTER. Again, reclaiming my time, I would simply ask directly if the Senator could either object or not object—let me know—and also help us identify any specific objections that may exist on the minority side.

But in closing, Mr. President, I would just say, again, it is very clear to me, having spent a week working on this, that we either do this today and tomorrow or we do nothing and go home for 10 days and give no relief to these communities and these parishes which so desperately need the help. I vote for doing something. I vote for leading. I vote for helping in a meaningful and concrete way the people of southeast Louisiana and urge all my colleagues to please join me in that effort.

I yield back my time.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, there are discussions going on concerning the future of this bill and what time we may be able to vote and dispose of the bill. I did try to go to third reading to make sure we would not have amendments coming in here at the last minute that would require Members to come back into the Senate to vote at this time.

I want to state that I do not have any problem with the exchange between the Senators from Louisiana. They do have a very difficult proposition. I am not going to get into that at this time. But I will say this: The arrangement that the junior Senator has made is much better than we got after the great earthquake in Alaska in 1964. I think people ought to realize that while the numbers of people involved in this great disaster from Katrina and the disaster of Rita—we have had massive disasters such as our earthquake and our great flood and the typhoons in Hawaii. This is not something that is new. The number of people may be greater, but the type of disaster is not any greater.

I would hope we would have a chance to finish the conversations that the leadership is having and we can find some way to deal with this situation and let people know what time, and if, we are going to be allowed to vote on this very important bill that should go to conference before we go home.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. VITTER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent to dispense with the calling of the roll.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. I object.

The PRESIDING OFFICER. There is objection.

The legislative clerk continued with the call of the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COLEMAN). Without objection, it is so ordered.

## NOTICE

*Incomplete record of Senate proceedings. Except for concluding business which follows, today's Senate proceedings will be continued in the next issue of the Record.*

### ORDERS FOR FRIDAY, OCTOBER 7, 2005

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate stand in recess until 8:15 a.m. on Friday, October 7. I further ask consent that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then resume consideration of H.R. 2863, the Defense appropriations bill. I further ask consent that following the leader's remarks, Senator LANDRIEU be recognized to speak until 9:15. I further ask consent that immediately following her remarks, and with no intervening action or debate, all time under cloture then be considered expired, the bill be read a third time, and the Senate proceed to a vote on passage of the bill, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. STEVENS. Before we recess, I will yield to the Senator from Louisiana for 5 minutes before we close.

Ms. LANDRIEU. I thank the Senator from Alaska.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. I thank the Chair.

### DISASTER ASSISTANCE

Ms. LANDRIEU. Mr. President, it has been a very long day. I am hoping, as

this day continues into the evening hours, as we continue to work on the underlying bill, which is the Defense appropriations bill, to have an amendment dealing with Hurricane Katrina in a way this Congress might respond to this urgent need. I thank the Senator from Alaska for his patience through this day because the issue that is before us really is not an amendment on the Defense bill. It is a separate issue but needs to be handled before we leave, in my opinion.

That is why I have stayed here throughout the day and have been here, of course, throughout the week, in many meetings and phone calls, and now in time on the floor throughout the day, to try to find a way to get some immediate help to our cities and parishes and counties along the gulf coast. It looks like there is a possibility that still might be the case.

But because of the lateness of the hour, really for the staff that has been here so long, I am going to agree to continue to work through the night, allow the staff to take a recess, and spend some time on this, as I have throughout the last few hours, working with my colleagues, particularly Senator LEVIN from Michigan, who has put in a tremendous amount of time, other Senators, Senator CARPER from Delaware, Senator CLINTON, Senator DURBIN, Senator REID. And Senator FRIST has been here for a while. Of course, Senator VITTER was here earlier trying to get through this process, with the

specific focus of mine being to try to get our State in the same situation that other States have been put in when they needed help.

We are not quite there yet, but we may yet get there by the time we close the debate in just a few hours. But, really, the staff has done more than they should be asked, to stay this late.

We have tried four or five different compromises in the last 8 hours, and we are not quite there yet. But we may be there in the morning when the Senate comes out of recess.

I am going to continue to work through the evening to see if we can find some sort of solution so that our four States—Louisiana, Mississippi, Alabama, and Texas—can be treated in the same way with the same respect as other States have in disasters in the past.

I thank the Senator for his patience throughout the evening.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I thank the Senator from Louisiana.

### PROGRAM

Mr. STEVENS. Mr. President, we will reconvene at 8:15 tomorrow morning. Following additional remarks by Senator LANDRIEU in the morning, we will vote on passage of the Defense appropriations bill. That vote will occur concerning at 9:15. Following that vote, we

will proceed to the Homeland Security appropriations conference report. It is my understanding that we will be able to consider that conference report under a 30-minute time agreement and that a vote would not be necessary. We have not locked in that agreement. We will turn to that conference report in the morning after voting on the DOD appropriations bill.

#### RECESS UNTIL 8:15 A.M.

Mr. STEVENS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess in accordance with the previous order.

There being no objection, the Senate, at 1:39 a.m., recessed until Friday, October 7, 2005, at 8:15 a.m.

#### NOMINATIONS

Executive nominations received by the Senate October 6, 2005:

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

TERRENCE L. BRACY, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION FOR A TERM EXPIRING OCTOBER 6, 2010. (REAPPOINTMENT)

#### DEPARTMENT OF COMMERCE

DAVID STEELE BOHIGIAN, OF MISSOURI, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE WILLIAM HENRY LASH, III, RESIGNED.

#### DEPARTMENT OF THE TREASURY

ANTONIO FRATTO, OF PENNSYLVANIA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE ROBERT STANLEY NICHOLS.

#### EXECUTIVE OFFICE OF THE PRESIDENT

SUSAN C. SCHWAB, OF MARYLAND, TO BE A DEPUTY UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR, VICE PETER F. ALLGEIER.

#### DEPARTMENT OF STATE

JEFFREY THOMAS BERGNER, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (LEGISLATIVE AFFAIRS), VICE PAUL VINCENT KELLY RESIGNED.

NICHOLAS F. TAUBMAN, OF VIRGINIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ROMANIA.

SUSAN RASINSKI MCCAOW, OF WASHINGTON, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AUSTRIA.

#### LEGAL SERVICES CORPORATION

SARAH M. SINGLETON, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2008, VICE ERNESTINE P. WATLINGTON, TERM EXPIRED.

#### UNITED STATES INSTITUTE OF PEACE

RON SILVER, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM EXPIRING JANUARY 19, 2009, VICE STEPHEN D. KRASNER, TERM EXPIRED.

JUDY VAN REST, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM EXPIRING JANUARY 19, 2009, VICE DANIEL PIPES.

#### IN THE COAST GUARD

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT AS PERMANENT COMMISSIONED REGULAR OFFICERS IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

#### To be lieutenant

THEA IACOMINO, 0000  
LOUVENIA A. MCMILLAN, 0000

#### IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be major general

BRIGADIER GENERAL EUGENE R. CHOJNACKI, 0000  
BRIGADIER GENERAL KENNETH R. CLARK, 0000  
BRIGADIER GENERAL DAVID F. WHERLEY, JR., 0000

BRIGADIER GENERAL HARRY M. WYATT III, 0000

#### To be brigadier general

COLONEL WILLIAM R. BURKS, 0000  
COLONEL IWAN B. CLONTZ, 0000  
COLONEL STEVEN R. DOOHEN, 0000  
COLONEL DONALD E. FICK, 0000  
COLONEL DAVID J. HATLEY, 0000  
COLONEL KENNETH M. JEFFERSON, 0000  
COLONEL ROBERT H. JOHNSTON, 0000  
COLONEL DANIEL B. O'HOLLAREN, 0000  
COLONEL RANDOLPH M. SCOTT, 0000  
COLONEL MARK F. SEARS, 0000  
COLONEL HAYWOOD R. STARLING, JR., 0000  
COLONEL BROCK JOHN T. STROM, 0000  
COLONEL ERNEST G. TALBERT, 0000  
COLONEL EDWARD J. THOMAS, JR., 0000  
COLONEL LAWRENCE S. THOMAS III, 0000  
COLONEL RICHARD J. UTECHT, 0000  
COLONEL GUY M. WALSH, 0000  
COLONEL ELLIOTT W. WORCESTER, JR., 0000  
COLONEL ROBERT J. YAPLE, 0000

#### IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be major general

BRIG. GEN. THOMAS D. ROBINSON, 0000

#### To be brigadier general

COL. CHARLES D. ESTES, 0000  
COL. ELLEN P. GREENE, 0000  
COL. LUIS R. VISOT, 0000

#### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be vice admiral

REAR ADM. PATRICK M. WALSH, 0000

#### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be colonel

JOHN S. BAXTER, 0000

#### IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### To be colonel

JOSE R. RAEI, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be colonel

SUZANNE R. AVERY, 0000  
JAMES FIKES, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be colonel

DONNA J. DOLAN, 0000  
MICHAEL G. LABELLE, 0000  
STEVEN D. PEAK, 0000  
DEBORAH F. SIMPSON, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be colonel

PAUL F. ABBEY, 0000  
JAMES P. BARNES, 0000  
JAMES N. BAUM, 0000  
SCOTT E. BOMBERG, 0000  
ERIC W. BOWLES, 0000  
DUANE F. CARTWRIGHT, 0000  
STACY B. ELLISON, 0000  
ELLYN M. ENGLISH, 0000  
ALBERT F. GRUBER, 0000  
FREDERICK D. HOGAN, 0000  
LYNDON S. HURT, 0000  
DAVID G. JULIAN, 0000  
MANUEL L. LABORDE, 0000  
JOSEPH D. LYVERS, 0000  
DEBORAH J. MICHAEL, 0000  
JOE D. ONEAL, 0000  
GARY W. REEVES, 0000  
DANIEL E. SAVITSKE, 0000  
TERRY R. SCHMUNK, 0000  
JACK N. SEIDENBERG, 0000  
WARREN A. WILLIAMS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be colonel

PAUL S. ASTPHAN, 0000  
LUCY A. P. BLAND, 0000

GAYE E. BROADWAY, 0000  
NORMAN A. CUMMINS, 0000  
MADELINE B. DUNNHOOD, 0000  
MARY R. ENDERLE, 0000  
THEODOCIA C. FARRALES, 0000  
GENEVIEVE M. FULLER, 0000  
CHARLENE M. GODEC, 0000  
MARY C. GOMEZ, 0000  
JOAN M. GOUGE, 0000  
JUDITH R. HASELTINE, 0000  
KATHLEEN A. HAYES, 0000  
DONNA N. HERSHEY, 0000  
RICHARD D. HUMES, 0000  
EMMETTE G. JONES, JR., 0000  
SHIRLEY A. KUBIAK, 0000  
GWENDOLYN J. LEMAIRE, 0000  
MARY E. LINK, 0000  
SHARON K. LUCARELLI, 0000  
LAURA J. LUDWIG, 0000  
MICHAEL R. MANANSALA, 0000  
JOAN A. MARKS, 0000  
DEBRA F. MCNAMARA, 0000  
FRANKLIN J. MCSHANE, 0000  
JANET F. MCTURNAL, 0000  
SHARON M. NAVRATIL, 0000  
SHIRLEY E. NEVILLE, 0000  
PATRICIA A. L. PRATT, 0000  
MARTIN R. RIDGE, 0000  
BEVERLY L. SMITHTILLERY, 0000  
WENDY L. TAYLOR, 0000  
JAMES D. WAECHTER, 0000  
SYBIL M. WEIRMCNEELY, 0000  
BRINDA F. WILLIAMSMORGAN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be colonel

LYNN S. ALSUP, 0000  
MARTHA A. BIASTOCH, 0000  
DENNIS T. BROWN, 0000  
ROBERT W. BROWN II, 0000  
ROBERT M. CODY, 0000  
JAMES C. COLEMAN, 0000  
CATHERINE L. COOK, 0000  
BRUCE J. CORNELISON, 0000  
WALTER J. DAVIS, 0000  
WILLIAM H. DEGRAY, 0000  
CECILIA I. FLORES, 0000  
IRENE L. FRAZIER, 0000  
FELICIA FRENCH, 0000  
SCOTT A. GRONWOLD, 0000  
JOHN H. GROTE, JR., 0000  
DAVID HOWE, 0000  
DEBORAH K. KNICKERBOCKER, 0000  
JOHN R. MAGRANE, JR., 0000  
JAMES P. MAHONEY, 0000  
JOSEPH A. MAIELLO, 0000  
WENDELL R. MANN, 0000  
DENNIS R. MILLER, 0000  
SCOTT A. MILLER, 0000  
BRADLEY K. MITCHELL, 0000  
WENDY P. POLHEMUS, 0000  
WILLIAM A. PULIG, 0000  
DENNIS P. RATASHAK, 0000  
ERIC RODRIGUEZ, 0000  
JONNIE S. RUPP, 0000  
GINA D. SEILER, 0000  
WILLIAM H. SNOW, 0000  
DWIGHT A. THOMPSON, 0000  
ALTHEA G. WATSON, 0000  
JEFFREY L. WEAVER, 0000  
JAY M. WEBB, 0000  
DENNIS J. WHITE, 0000  
STEVEN A. WIENEKE, 0000  
BARRY M. WIKES, 0000  
CAROL L. ZIERES, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be colonel

JAMES W. AGNEW, 0000  
STEVEN C. ALLGOOD, 0000  
DAVID P. ANGELETTE, 0000  
MARK ANSTADT, 0000  
DAMON T. ARNOLD, 0000  
JOHN V. BARTON, 0000  
JAMES BAYLEY, 0000  
DANIEL J. BOCHICCHIO, 0000  
REYNAL L. CALDWELL, 0000  
GINA R. CARTER, 0000  
PAUL M. CHETHAM, 0000  
JAMES K. COOPER II, 0000  
VICTOR H. DAVIS, 0000  
JAMES R. DOWNEY, 0000  
PAUL A. DURON, 0000  
BRIAN J. EASTRIDGE, 0000  
KEYAGHN P. FAIR, 0000  
CHARLES J. FISHER, JR., 0000  
DAVID R. FOHAN, 0000  
ALVIS R. FORBES, 0000  
TODD R. FREDRICKS, 0000  
ROBERT E. GORTON, JR., 0000  
JAMES R. GREGOIRE, 0000  
JOSEFINA T. GUERRERO, 0000  
WILLIAM G. GUTHEIM, 0000  
ROBERT W. HANDY, 0000  
JEFFREY T. HAUGH, 0000  
SUSAN W. HOLE, 0000  
HAROLD W. HUGHES, 0000  
JOE W. HUNT, 0000  
VITO D. IMBASCIANI, 0000  
MARK J. IVEY, 0000  
PURNIMA P. JOSHI, 0000

CLARENCE T. JOUSTRA, 0000  
 MICHAEL E. KELLY, 0000  
 ROBERT W. KELLY, 0000  
 JAMES K. KERR III, 0000  
 KHIN M. KYI, 0000  
 JANET I. LAWRENCE, 0000  
 KENNETH K. K. LEE, 0000  
 OWEN LEE, 0000  
 GORDON D. LEINGANG, 0000  
 LESTER L. LEWIS, JR., 0000  
 CHERYL A. LITTLE, 0000  
 DEBORAH A. MCCLAIN, 0000  
 RUSSELL J. OTTO, 0000  
 MITCHELL H. PAULIN, 0000  
 JOHN C. PITTARD, 0000  
 JAMES W. Y. QUAN, 0000  
 DARRYL R. QUIRAM, 0000  
 GREGORY C. RISK, 0000  
 MICHAEL H. ROSENBERG, 0000  
 ERIC F. SABETY, 0000  
 LINDA C. SHACKELFORD, 0000  
 BARRIE V. SMITH, 0000  
 BRENT A. SMITH, 0000  
 JULIUS L. TEAGUE, 0000  
 JACOB TENDLER, 0000  
 GREGORY K. TERPSTRA, 0000  
 MARK A. VANANTWERP, 0000  
 JOSEF J. VANEK, 0000  
 LUIS L. VILLARRUEL, 0000  
 BRUCE V. VOSS, 0000  
 PERRY T. WALTERS, 0000  
 DARREL W. WYATT, 0000  
 DAVID A. YEROPOLI, 0000

#### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be major*

DARREN W. MILTON, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 531:

#### *To be major*

CHRISTOPHER J. AABY, 0000  
 DAVID A. ADAMS, 0000  
 MATTHEW F. AMIDON, 0000  
 SCOTT R. ANDERSON, 0000  
 BRANDEN G. BAILEY, 0000  
 GUY G. BERRY, 0000  
 MICHAEL J. BLACK, 0000  
 JEFFREY M. BONNER, 0000  
 ADAM L. BUSH, 0000  
 JOHN F. BUXTON, 0000  
 KELLY D. CAILLOUET, 0000  
 DANIEL P. CARLSON, 0000  
 JANO R. CARLSON, 0000  
 OLEN B. CAULEY, 0000  
 VINCENT J. CIUCCOLI, 0000  
 VAN M. DAVIDSON, 0000  
 JEFFREY L. DAVIS, 0000  
 DOUGLAS S. DEWOLF, 0000  
 SCOTT E. DORNISCH, 0000  
 BRIAN W. EVANS, 0000  
 GUY J. FARMER, 0000  
 BRIAN W. FOSTER, 0000  
 DANIEL J. GILKEY, 0000  
 GARY W. GRAHAM, 0000  
 JASON S. GUELLO, 0000  
 GREGORY R. HAUCK, 0000  
 DAVID B. HAYNES, 0000  
 SAMUEL N. HOTZ, 0000  
 GERALD N. KEARNEY, JR., 0000  
 BRIAN M. KENNEDY, 0000  
 PETER W. KOENIG, 0000  
 JOHN M. KOURY, 0000  
 DAVID L. KOWALSKI, 0000  
 JASON C. LATCHAW, 0000  
 KEVIN M. LILLY, 0000  
 SCOTT J. LUCKIE, 0000  
 WILLIAM P. MACNAUGHTON, 0000  
 BENJAMIN W. MALMANGER, 0000  
 JAMES E. MANEL, 0000  
 LAWRENCE G. MASSEY, JR., 0000  
 ERIC J. MATTSOON, 0000  
 DAVID B. MCCANN, 0000  
 MICHAEL T. MCCOMAS, 0000  
 CARL L. MCLEOD, 0000  
 JASON D. MERKER, 0000  
 MARK A. MERRILL, 0000  
 JOHN E. MINO, 0000  
 KYLE J. MOORE, 0000  
 STEFAN J. MUELLER, 0000  
 JEFFREY T. MURPHY, 0000  
 SCOTT A. NICHOLSEN, 0000  
 MARK T. PALIOTTA, 0000  
 THOMAS F. PAQUIN, 0000  
 MATTHEW D. PARKER, 0000  
 CHRISTIAN E. PARSON, 0000  
 GRANT M. PENNINGTON, 0000  
 BRIAN N. PINCKARD, 0000  
 STEPHEN PRITCHARD, 0000  
 CHRISTOPHER K. RAIBLE, 0000  
 JADE N. RICHARD, 0000  
 DANIEL D. ROSE, 0000  
 MORGAN N. SAVAGE, 0000  
 TODD R. SCHIRO, 0000  
 JEFFREY B. SCOTT, 0000  
 CORY G. SIMMONS, 0000  
 SCOTT A. SITTERLE, 0000  
 BRIAN C. SMITH, JR., 0000  
 KARL J. STOETZER, 0000

GEOFFREY T. TETTERTON, 0000  
 ADAM J. TKACH, 0000  
 ROBERT J. VANDERWOUDE, 0000  
 DAVID W. VANHOOF, 0000  
 LAWRENCE A. WASHINGTON, 0000  
 BRENT A. WEATHERS, 0000  
 JOHN N. WILKIN, 0000  
 KEVIN W. WINTER, 0000  
 RICHARD B. YOUNG II, 0000

#### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be captain*

WILLIAM D. FUSON, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C. SECTION 531:

#### *To be captain*

DANIEL ALBRECHT, 0000  
 DANIEL C. ALDER, 0000  
 RAYMOND V. ANDERSON, 0000  
 DONALD R. BENNETT, 0000  
 GAYLA J. BERGREN, 0000  
 KENNETH G. BRADSHAW, 0000  
 STEVE J. BRASINGTON, 0000  
 THOMAS E. BRODERICK, 0000  
 SANDRA T. BUCKLES, 0000  
 TERESA M. BUESCHER, 0000  
 THOMAS A. CARLSON, 0000  
 DONALD J. CENTNER, 0000  
 WILLIAM B. COGAR, 0000  
 BERTRAM M. CRAWFORD, 0000  
 WILLIAM F. CUDDY, JR., 0000  
 MICHAEL J. CURRAN, 0000  
 DAVID L. DAUGHERTY, 0000  
 MARLENE DEMAYO, 0000  
 ROBERT T. ELDER, 0000  
 DENIS M. FAHERTY, 0000  
 BARBARA FORD, 0000  
 JOSEPH M. FOSTER, 0000  
 DANIEL E. FREDERICK, 0000  
 CRAIG E. GALLOWAY, 0000  
 RICHARD B. GATES, 0000  
 TAMMY S. GERTENFELD, 0000  
 KENT S. GORE, 0000  
 KEVIN L. GREASON, 0000  
 GUERARD P. GRICE, 0000  
 DAVID B. GRIMLAND, 0000  
 EDWIN S. HENRY, 0000  
 ANITA H. HICKEY, 0000  
 MARK P. HONIG, 0000  
 WHITNEY H. HOWARD, 0000  
 PETER A. HUSTA, 0000  
 KATHERINE L. IMMERMAN, 0000  
 WAYNE S. INMAN, 0000  
 RONALD L. JEFFREY, 0000  
 IGOR A. JERCINOVICH, 0000  
 PAUL C. KELLEHER, 0000  
 DOUGLAS F. KEMPF, 0000  
 NOELINE KHAW, 0000  
 DAVID G. KLOAK, 0000  
 BRENDA A. LARKIN, 0000  
 STEPHEN J. LINEHAN, 0000  
 KEVIN S. LYLES, 0000  
 MARIAN L. MACDONALD, 0000  
 RANDALL C. MAPES, 0000  
 LLOYD W. MARLAND, 0000  
 GARY A. MAYNARD, 0000  
 JOSEPH C. MCCOWAN, 0000  
 STEPHEN R. MERRILL, 0000  
 JOHN L. MORRIS, 0000  
 GARY L. MUNN, 0000  
 GARY NOBLE, 0000  
 LAWRENCE E. OLSEN, 0000  
 KAY M. OSBORNE, 0000  
 GREGORY R. OSTROWSKI, 0000  
 RUSSELL G. PENDEGRASS, 0000  
 PABLO D. PIZARO, 0000  
 KEVIN R. PORTER, 0000  
 RANDALL N. PRATT, JR., 0000  
 ROBERT W. QUIGG, 0000  
 MARK E. RALSTON, 0000  
 FRANK P. REYNOLDS, 0000  
 THOMAS L. RICHIE, 0000  
 DAVID N. RICEY, 0000  
 RICHARD E. ROBEY, 0000  
 STEPHEN B. ROCK, 0000  
 MICHAEL F. ROCKLIN, 0000  
 WILLIAM A. ROIG, 0000  
 GEORGE C. SAKAKINI, 0000  
 KENNETH M. SAMPLE, 0000  
 THOMAS F. SHACKELORD, 0000  
 PETER D. SHERROD, 0000  
 WYATT S. SMITH, 0000  
 CALTON E. SODERHOLM, 0000  
 FREDRICK N. SOUTHERN, 0000  
 ALLAN M. STANCZAK, 0000  
 JOHN N. STENSLAND, 0000  
 JOHN B. STOCKEL, 0000  
 DENNIS E. SUMMERS, 0000  
 WILLIAM J. SWARTWORTH, 0000  
 ROBERT J. TATE, 0000  
 JAMES TERBUSH, 0000  
 OWEN G. THORP III, 0000  
 GEORGE G. ULRICH, 0000  
 DANIEL V. UNGER IV, 0000  
 JAMES D. VALENTE, 0000  
 JANE F. VIEIRA, 0000  
 MICHAEL S. WIENZEL, 0000  
 JERRY W. WHITE, 0000  
 JOHN T. WIDERGREN, 0000

FRANCIS R. WINKEL, 0000  
 RICHARD C. YAGESH, 0000  
 PETER L. ZAMFIRESCU, 0000

#### *To be commander*

DANIEL J. ACKERSON, 0000  
 MICHAEL T. ACROMITE, 0000  
 CHARLES F. ADAMS, JR., 0000  
 RODNEY M. ADAMS, 0000  
 STANLEY D. ADAMS, 0000  
 SALVADOR AGUILERA, 0000  
 MICHAEL T. AKIN, 0000  
 BRIAN A. ALEXANDER, 0000  
 JAMES K. AMSBERRY, 0000  
 CLAUDE D. ANDERSON, 0000  
 JOEL M. APIDES, 0000  
 BILLY M. APPLETON, 0000  
 STEPHEN C. ARCHER, 0000  
 GARY R. AYERS, 0000  
 TOBIAS J. BACANER, 0000  
 KATHRYN A. BALLANTYNE, 0000  
 BEN J. BALOUGH, 0000  
 KEVIN P. BARRITT, 0000  
 DAGMARA E. BASTIKS, 0000  
 KEITH F. BATT'S, 0000  
 KEVIN J. BEDFORD, 0000  
 JEFFREY A. BENDER, 0000  
 THOMAS E. BERGLAND, 0000  
 LYNN M. BERGREN, 0000  
 JOHN L. BERLOT, 0000  
 CHRISTOPHER A. BIDWELL, 0000  
 SANDRA L. BIERLING, 0000  
 DAWN A. BLACKMON, 0000  
 CAROL L. BLACKWOOD, 0000  
 JEFFREY A. BLAIR, 0000  
 JO A. J. BLANDO, 0000  
 GREGORY S. BLASCHKE, 0000  
 HEATHER I. BLOMELEY, 0000  
 DANA G. BORGESON, 0000  
 ARNOLD O. BROWN, 0000  
 CARLOS V. BROWN, 0000  
 ROBERT H. BUCKLEY, 0000  
 ROBERT E. BURKE, 0000  
 MICHAEL L. BURLISON, 0000  
 JERRY N. BURTON, JR., 0000  
 JACQUELYN L. CALBERT, 0000  
 ROBERT A. CALLISON, 0000  
 PAUL T. CAMARDELLA, 0000  
 NESTOR H. CAMERINO, JR., 0000  
 DUANE C. CANEVA, 0000  
 DOUGLAS N. CARBINE, 0000  
 JANIS R. CARLTON, 0000  
 MATTHEW A. CARR, 0000  
 MICHAEL E. CLARK, 0000  
 JOHN P. CLAYTON, 0000  
 LAWRENCE G. COLEMAN, 0000  
 STEWART W. COMEL, 0000  
 JEFFREY A. CONWELL, 0000  
 JOHN L. CORREA, 0000  
 LAWRENCE CRIMMINS, 0000  
 MIGUEL A. CUBANO, 0000  
 JAMES T. CURRY, 0000  
 RHODEL F. DACANAY, 0000  
 MARK A. DAELRY, 0000  
 PATRICK J. DAIGLE, 0000  
 MICHAEL H. DANENBERG, 0000  
 CHIN V. DANG, 0000  
 DARYL K. DANIELS, 0000  
 THOMAS P. DAVIS, 0000  
 SUBRATO J. DEB, 0000  
 KEVIN DELAHANTY, 0000  
 DAVID M. DELONGA, 0000  
 LIBERIO E. DEMEDEIROS, 0000  
 GERALD D. DENTON, 0000  
 JOHN E. DEORDIO, 0000  
 JEROME V. DILLON, 0000  
 MARK A. DOBBERTIEN, 0000  
 ROBERT J. DONOVAN, 0000  
 CHRISTINE E. DORR, 0000  
 ALAN B. DOUGLASS, 0000  
 THOMAS C. DOWDEN, 0000  
 JAMES R. DUNNE, 0000  
 EDDY L. ECHOLS, 0000  
 KENNETH L. EISENBERG, 0000  
 SCOTT M. EMISON, 0000  
 TODD L. EVANS, 0000  
 TED M. FANNING, 0000  
 ROBERT W. FARR, 0000  
 LESLIE H. FENTON, 0000  
 MICHAEL A. FERGUSON, 0000  
 ANDREW L. FINDLEY, JR., 0000  
 DONALD P. FIX, 0000  
 JOSEPH W. FLANAGAN, 0000  
 JAMES P. FLINT, 0000  
 JOSEPH C. FORTSON, 0000  
 BRYAN A. FOX, 0000  
 FRAZIER W. FRANTZ, 0000  
 DANIEL A. FREILICH, 0000  
 JOHN M. FREYMAN, 0000  
 EMORY A. FRY, 0000  
 ROBERT N. GALE, 0000  
 BRENDON L. GELFORD, 0000  
 MILTON D. GLANLIS, 0000  
 BRYCE M. GIBB, 0000  
 LISA A. GLEASON, 0000  
 THOMAS J. GOALEY, JR., 0000  
 ELISE T. GORDON, 0000  
 WILLIAM R. GRAF, 0000  
 GORDON F. GREEN, 0000  
 KENNETH P. GREEN, 0000  
 RICHARD GREEN, 0000  
 CHARLES L. GROVES, 0000  
 JOSEPH GUERRERO, 0000  
 KEITH B. GUSTAFSON, 0000  
 JAY A. GUTZLER, 0000  
 BRADEN R. HALE, 0000

MARK B. HALVORDSON, 0000  
 MARK E. HAMMETT, 0000  
 TONY S. HAN, 0000  
 JACK E. HANZLIK, JR., 0000  
 STEVEN R. HARDMAN, 0000  
 KURT P. HARDY, 0000  
 KRISTINA E. HART, 0000  
 JOHN F. HAWLEY, 0000  
 JEFF D. HEADRICK, 0000  
 JENIFER L. HENDERSON, 0000  
 RUBY S. HENDERSON, 0000  
 MARY A. HENDRICKSON, 0000  
 MATTHEW L. HERZBERG, 0000  
 GRANT R. HIGHLAND, 0000  
 JON J. HILL, 0000  
 PAUL P. HOBBS, 0000  
 ANTHONY R. HOOVLER, 0000  
 JON L. HOPKINS, 0000  
 MICHAEL T. HOPKINS, 0000  
 JOHN D. HUGHES, 0000  
 THANH T. HUYNH, 0000  
 LISA INOUE, 0000  
 WARREN S. INOUE, 0000  
 ROBERT A. IZENBERG, 0000  
 BETH R. JAKLIC, 0000  
 CHRISTOPHER P. JONES, 0000  
 JAY T. JONES, 0000  
 BENJAMIN W. JORDAN, 0000  
 BRUCE W. KAHL, 0000  
 PAUL H. KALTSAS, 0000  
 FREDERICK C. KASS, 0000  
 SARA M. KASS, 0000  
 GREGG A. KASTING, 0000  
 RONALD KAWCZYNSKI, 0000  
 DAVID J. KEBLISH, 0000  
 FREDERIC J. KELLEY III, 0000  
 JOHN S. KELLOGG, 0000  
 KENNETH J. KELLY, 0000  
 JOHN A. KENNEDY, JR., 0000  
 MAUREEN T. KENNEDY, 0000  
 NEIL M. KING, 0000  
 CHARLES P. KLEWER, 0000  
 WILLIAM P. KLORIG, 0000  
 TREYCE S. KNEE, 0000  
 TIMOTHY KOBERNIK, 0000  
 TIMOTHY J. KOESTER, 0000  
 JEFFREY N. KORSNER, 0000  
 JACQUELINE KOVACS, 0000  
 ERIC J. KUNCIR, 0000  
 PAMELA S. KUNZE, 0000  
 CHARLES S. KUZMA, 0000  
 DANIEL M. LAFFERTY, 0000  
 WILLIAM M. LANDE, 0000  
 JOHN B. LANDIS, 0000  
 FREDERICK J. LANDRO, 0000  
 MICHAEL J. LANE, 0000  
 PATRICK R. LARABY, 0000  
 ROBERT P. LARYS, 0000  
 GARY W. LATSON, 0000  
 LOUIS V. LAVOPA, 0000  
 PATRICK L. LAWSON, 0000  
 CALVIN S. LEDFORD, 0000  
 NORMAN LEE, 0000  
 JEFFREY T. LEVERT, 0000  
 STEPHEN T. LEPP, 0000  
 RANDALL J. T. LESCAULT, 0000  
 ALAN LIM, 0000  
 ALAN A. LIM, 0000  
 RONALD L. LINFESTY, 0000  
 FRANCESCA K. LITOW, 0000  
 MARGARET A. LLUY, 0000  
 JEFFREY L. LORD, 0000  
 JAMES A. LOWDER, 0000  
 ROBERT E. LUCAS, 0000  
 JEFFREY R. LUKISH, 0000  
 MARK B. LYLES, 0000  
 EDWARD J. LYNCH, 0000  
 KAREN M. LYNCH, 0000  
 SCOTT A. MAGNES, 0000  
 RICHARD T. MAHON, 0000  
 JESUS V. MALLARI, 0000  
 PETER A. MARCO, 0000  
 JOHN J. MARSHALL, 0000

THOMAS J. MARSHALL, JR., 0000  
 ROBERT W. MARTIN, 0000  
 STEPHEN C. MARTIN, 0000  
 CHRISTOPHER J. MCARTHUR, 0000  
 ROBERT P. MCCLANAHAN, JR., 0000  
 JOHN M. MCCURLEY, 0000  
 MICHAEL T. MCHALE, 0000  
 JAMIN T. MCMAHON, 0000  
 MICHAEL F. MCNAMARA, JR., 0000  
 ROBERT D. MCPHAIL, 0000  
 JOSEPH G. MCQUADE, 0000  
 RONALD J. MCVICAR, 0000  
 ROBERT D. MENZIES, 0000  
 ROBERT E. METTS, 0000  
 DAVID H. MEYER, 0000  
 BRIAN D. MILLER, 0000  
 ROBERT N. MILLER, JR., 0000  
 LARRY D. MILNER, 0000  
 JOSEPH M. MOEGLIN, 0000  
 STEVEN W. MOLL, 0000  
 RICHARD M. MONDRAGON, 0000  
 ROSS MOQUIN, 0000  
 EDUARDO MORALES, 0000  
 PAUL N. NAGY, 0000  
 NALAN NARINE, 0000  
 SCOTT L. NASSON, 0000  
 ALADAR NESSER, 0000  
 JOEL D. NEWMAN, 0000  
 LACHLAN D. NOYES, 0000  
 OTTO W. OHM II, 0000  
 KEVIN C. OMALLEY, 0000  
 LOUIS D. OROSZ, 0000  
 JOHN E. PAGANELLI, JR., 0000  
 ERIC L. PAGENKOPF, 0000  
 EDWIN Y. PARK, 0000  
 MILAN N. PASTUOVIC, 0000  
 BHARAT S. PATEL, 0000  
 RICHARD J. PAVAR, 0000  
 PATRICIA V. PEPPER, 0000  
 PHILIP W. PERDUE, 0000  
 LORING I. PERRY, 0000  
 ROBERT F. PERRY, 0000  
 ALAN F. PHILIPPI, 0000  
 LEONARD J. PLAITANO, 0000  
 DAVID S. PLURAD, 0000  
 THOMAS P. POFF, 0000  
 STEPHEN J. POPPE, 0000  
 JEFFREY D. QUINLAN, 0000  
 ANDREW I. RADOVAN, 0000  
 JOHN G. RAHER, 0000  
 CHRISTOPHER D. REEVESJONES, 0000  
 SCOTT R. REICHARD, 0000  
 ROBERT D. REUER, 0000  
 LESLIE C. RIALES, 0000  
 JOSETTE L. RICE, 0000  
 JONATHAN W. RICHARDSON, 0000  
 JAMES V. RITCHIE, 0000  
 PETER F. ROBERTS, 0000  
 JOSE L. RODRIGUEZ, 0000  
 JAMES G. RODROCK, 0000  
 ANSELMO N. ROLDAN, 0000  
 MICHAEL T. RONCONE, 0000  
 JOEL A. ROOS, 0000  
 JOSEPH D. RUGGIERO, 0000  
 ROBERT T. RULAND, 0000  
 MARY K. RUSHER, 0000  
 KEVIN L. RUSSELL, 0000  
 LAWRENCE J. RUSSO, 0000  
 DONALD R. SALLEE, 0000  
 JOHN W. SANDERS III, 0000  
 ELIZABETH K. SATTER, 0000  
 KYLE P. SCHROEDER, 0000  
 PAULA J. SEXTON, 0000  
 JOHN B. SHAPIRA, 0000  
 ERIC S. SHERCK, 0000  
 MARTY W. SHIELDS, 0000  
 DANIEL P. SHMORHUN, 0000  
 TIMOTHY R. SHOPE, 0000  
 ANDREA L. SHORTEREVANS, 0000  
 AMANDA G. SIERRA, 0000  
 ANDREW E. SIMAYS, 0000  
 BRIAN L. SIMPSON, 0000  
 MICHAEL J. SINGLETON, 0000

ROBERT N. SKINNER, 0000  
 JOSEPH B. SLAKEY, 0000  
 ERIC P. SMITH, 0000  
 JOEL A. SMITHWICK, 0000  
 HARLEY W. SMOOT, 0000  
 BRIAN D. SMULLEN, 0000  
 MARK E. SNIDER, 0000  
 MARTIN P. SORENSEN, 0000  
 JAMES SORIANO, 0000  
 TIMOTHY C. SORRELLS, 0000  
 JAMES T. STASIAK, 0000  
 ZSOLT T. STOCKINGER, 0000  
 JERRY K. STOKES, 0000  
 MICHAEL J. STRUNC, 0000  
 KEITH A. STUESSI, 0000  
 WILLIAM SUKOVICH, 0000  
 TODD E. SUMNER, 0000  
 KEVIN F. SUMPTION, 0000  
 MARK V. SUTHERLAND, 0000  
 JOSEPH R. TADDEO, 0000  
 CINDY L. TAMMINGA, 0000  
 ROSEMARIE C. TAN, 0000  
 DAVID A. TANEN, 0000  
 DAVID A. TARANTINO, JR., 0000  
 CONRAD A. TARGONSKI, 0000  
 JOHN T. TAYLOR, 0000  
 MICHAEL A. THOMPSON, 0000  
 JOHN S. THURBER, 0000  
 WILLIAM E. TODD, 0000  
 MARK C. TOLTON, 0000  
 SANDRA S. TOMITA, 0000  
 THERON C. TOOLE, 0000  
 WALTER S. TOPP, 0000  
 MICHAEL R. TORRICELLI, 0000  
 JOHN C. TORRIS, 0000  
 EDWARD J. TRACEY, 0000  
 KEITH M. ULNICK, 0000  
 GUIDO F. VALDES, 0000  
 GUSTAVO M. VENTURA, 0000  
 MARTHA P. VILLALOBOS, 0000  
 JOHN E. WANEB, 0000  
 BERNARD P. WANG, 0000  
 JOHN F. WARD, 0000  
 VICTOR K. WEBER, 0000  
 STEVEN M. WECHSLER, 0000  
 WILLIAM H. WEIDENHAMMER, 0000  
 MICHAEL S. WEINER, 0000  
 PETER J. WEIS, 0000  
 DAVID K. WEISS, 0000  
 WALTER R. WEISS, 0000  
 LOYD A. WEST, 0000  
 CHRISTOPHER WESTROPP, 0000  
 ROBIN M. WILKENING, 0000  
 MARKUS A. WOEHLE, 0000  
 DAVID M. WOJDA, 0000  
 JOHNNY WON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT  
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
 UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be commander*

JAMES D. THOMPSON, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR AP-  
 POINTMENTS TO THE GRADE INDICATED IN THE UNITED  
 STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

#### *To be lieutenant commander*

JAMES F. BRINKMAN, 0000  
 JOE D. HAINES, JR., 0000  
 LISA PEARSE, 0000  
 JERRY M. REBREY, 0000  
 ERNEST J. WHITTLE, 0000  
 WILLIAM L. YARDE, 0000

#### THE JUDICIARY

ERIC NICHOLAS VITALIANO, OF NEW YORK, TO BE  
 UNITED STATES DISTRICT JUDGE FOR THE EASTERN  
 DISTRICT OF NEW YORK, VICE ARTHUR D. SPATT, RE-  
 TIRE.